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WILLIAM PENN.

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"In Monarchies the summits of a nation are rich with verdure and glorious with light; in Aristocracies a broad table-land is fertilized and rendered beautiful; while in Commonwealths, properly so called, the whole surface of society unrolls itself like a vast plain to the sun, and receives the light and comfort and invigorating influence of its beams."

J. A. St. John.

WILLIAM PENN:

3104

An Historical Biography,

FROM NEW SOURCES.

WITH AN

EXTRA CHAPTER ON THE "MACAULAY CHARGES."

BY

WILLIAM HEPWORTH DIXON.

MY COUNTRY'S GENIUS WALKS ANOTHER WORLD.

T. K. HERVEY

PHILADELPHIA:
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BY

W. H. DIXON.

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PREFACE.

William Penn has been called a mythical rather than an historical personage. The accounts given of him by his professed biographers—Besse, Clarkson, Weems, and Lewis—are sufficiently vague, lifeless, and transcendental to merit such a censure. By far the best and most complete of these works is that by Clarkson; but it has serious defects. Beyond a reverential sympathy with Penn's religious ideas, the modern philanthropist had no advantages for the task he undertook. He was profoundly unacquainted with the history of the period; he copied the ignorance of Besse and others without misgiving and without acknowledgment. Of the families of Penn and Springett he knew absolutely nothing; of their fortunes and misfortunes, though daily affecting his hero's life and character, no trace appears in his pages. He had read only a few books, and those were of the commonest kind. Of the vast collections of MS. papers in the British Museum, in the Bodleian Library, in the State Paper Office, in the Privy Council and other government offices, and in the library of the Philosophical Society of Philadelphia, —throwing ample and authentic light on his career,—he had no knowledge, and of course made no use. I believe I may safely assert that two-thirds of the facts now known about Penn were not known to Clarkson. His want of information, however, was not altogether his fault. Since he wrote his memoir, now forty years ago, the sources of our history, and more particularly of the seventeenth century, have been much more critically investigated. Hundreds of volumes, letters, despatches, family memoirs, private accounts and other original documents,

have been published. The chief of the contemporary papers, from which I have derived valuable assistance, brought to light since my predecessor wrote, are the following:

The Professional Life and Services of Admiral Sir William Penn (from family and state papers), by Granville Penn, in two volumes, 8vo. 1833; The Diary and Correspondence of Samuel Pepys, in five volumes, 8vo. 1848; Life and Correspondence of the same, in two volumes, 8vo. 1841; The Memoirs of the Pennsylvania Historical Society, in eight (half) volumes, 8vo. 1825-1850; Henry Sidney's Diary and Correspondence of the Times of Charles II., in two volumes, 8vo. 1843; The Annals of Philadelphia, by John F. Watson, in one huge volume, 8vo. 1830; The Philadelphia Friend, a periodical in which the Logan Correspondence and many of the Founder's letters have been published, in eighteen volumes folio; Original Letters, illustrative of English History (first, second, and third series), edited by Sir Henry Ellis, in ten volumes, 8vo. 1824; Hazard's Pennsylvania Register, in eight volumes, 8vo.; Historical Collections of the State of Pennsylvania, by Sherman Day, in one thick volume, 8vo. 1843; Isaac Pennington's Letters, in one volume, 12mo. 1828; Kiffin's Memoirs, in one volume, 12mo. 1823; Original Letters of Locke, Sidney, and Shaftesbury (Furly Correspondence), in one volume, 8vo. 1830; Blencowe's Sidney Papers, in one volmme, 8vo. 1837; and the Ellis Correspondence, in two volumes, 8vo. 1829. The information contained in these volumes was, of course, inaccessible to Clarkson. But besides being inaccurate, his work is heavy in style. The narrative lacks life, movement, and variety. It is laid out on a dead level. The reader feels no throbbing heart beneath the flowing drapery of words. I write these lines with regret; my admiration of Clarkson as a man made me for a long time unwilling to admit his faults as a writer; and even now I console myself with the reflection that his fame does not depend on the verdicts of literary criticism; it being not as an author, but as a Christian philanthropist that he has taken his place with the Howards and the Wilberforces of our recent history.

What I have said of Clarkson applies with still greater force to the other three biographers. So far, however, as the personal history of his

hero is concerned, Besse is truthful and authentic; and as he wrote on his own immediate knowledge, and within a year or two of Penn's death, he must be regarded as an original authority. The life by Weems is fanciful and inaccurate, without being interesting; it is an American publication, never reprinted in this country. Lewis's is in the same position; it appeared a few years ago in successive numbers of the *Friend*, in Philadelphia: and I am not aware that it has ever been reprinted even in America. All these are Quaker-lives: no writer has yet treated of Penn as a great English historical character—the champion of the Jury Laws—the joint leader with Algernon Sidney of the Commonwealth men—the royal councillor of 1684-8—the courageous defender of Free Thought—the Founder of Pennsylvania! This omission I have now endeavored to supply; with what success the reader must decide.

I can say for myself that I have spared no trouble in the search for materials. Some years ago, a fortunate incident threw some of Penn's unpublished letters in my way; and the perusal of these first suggested the idea of attempting a new life. The sneers of Burnet, the falsehoods of Echard, the bold misinterpretations of Macintosh, remained on record unanswered; and as I compared Clarkson with the sources of the history—and particularly with the MS. documents preserved in the State Paper Office and in the British Museum — I saw that, had his work been as excellent in a literary point as it is otherwise, still another attempt would have been justifiable. Then came out, a little more than two years ago, the first part of Mr. Macaulay's History of England, in which these errors, assumptions and mistakes were again brought forward, and with more than their former emphasis. This decided me. I hastened my collection of materials and began to write.

The original and unpublished documents to which I am chiefly indebted for information are comprised in the following list:

I. Unpublished Letters from Penn to various persons.

II. Letters of Hannah Penn—his widow.

III. MS. Autobiography of Lady Springett—his mother-in-law.

IV. The Sunderland Letter-Book (Domestic, Various, 629), in State Paper Office.

v. Warrant-Books of the Secretaries of State. Ditto.

vi. Pennsylvania State Papers. Ditto.

vii. Maryland State Papers. Ditto.

viii. New Jersey State Papers. Ditto.

ix. Papers of the Lords Commissioners for Trade and Plantations. Ditto.

x. America and West Indies State Papers.

xi. New York State Papers. Ditto.

xii. American Proprietary State Papers. Ditto.

xiii. Copies of Penn's Speeches, in Ayscough, MSS. 44.

xiv. The Sunderland Correspondence, in Birch MSS. 4297.

xv. MS. Records of the Royal Society.

xvi. The Correspondence of Arnout Van Citters—from the Government Archives at the Hague.

xvii. Van Citters' Letters from the Family Papers.

xviii. Various Papers in the Egerton MSS.

xix. Papers and Family Information from William Penn Gaskill, Esq.

xx. A Collection of unpublished Letters written by and to Thomas Story.

xxi. An Account of Seizures made on Quakers, in Harleian MSS. 7506.

xxii. A Testimony from the Quakers of Reading.

xxiii. Lithograph of an Address by Penn to the Indians, recently discovered.

xxiv. Minutes of Quarterly Meetings preserved in Devonshire House.

xxv. The Register of the Society of Friends.

xxvi. A Statement by Penn of his difference with the Fords.

xxvii. Fenwick's Correspondence with Penn, in Harl. MSS. 7001.

xxviii. The original Mortgage Deeds of Pennsylvania.

xxix. Thomas Lowe to Margaret Fox concerning Penn.

xxx. Extracts from the Pinney Family Papers.

xxxi. The Axe Papers in Harl. MSS. 6845.

xxxii. An Account of the Seizure of King James at Faversham, in Harl. MSS. 6852.

xxxiii. George Hunt's Account of the Oxford Affair, in the possession of the President of Magdalen College.

xxxiv. Letter of Thomas Creech to Arthur Charlett, September 6, 1687, preserved in the Bodleian. (Ballard's Coll. MSS. xx.)

xxxv. Letters of Thomas Sykes to the same, September 7th, 9th, and 16th. (Ball. Coll. MSS. xxi.)

xxxvi. Privy Council Registers, 1644-1718, preserved in the Privy Council Office, Whitehall.

So numerous, so varied, and so important are the additions made to the biography of Penn from these documents and papers, that I have not hesitated to describe my work on the title-page as "from new sources." The reader will find for himself what is new in my volume:—but I may be perhaps excused for saying, that my researches have not only served to bring together many of the scattered points of information respecting Penn,—but, in the persons of Sir William and Lady Springett, have contributed two noble portraits to our historical gallery—have added important facts to the biography of Algernon Sidney—and opened new sources for the history of our American colonies.

As for my chief subject, the Founder of Pennsylvania, I have endeavored to make him live again: his throes and his struggles, his ideas and his actions, his gait and his person, his business and his amusements, the habits of his domestic life, the furniture of his house, the setting out of his table, every thing that makes the individuality of character, even down to the contents of his cellar, the inventory of his coach-house, and the completeness of his stable, I have tried to bring before the reader with the same vividness with which they present themselves to my own mind. In this endeavor I can, even at best, have but partially succeeded:—yet I hope sufficiently to have changed William Penn from a Myth into a Man.

Having devoted an Extra Chapter, by way of Appendix, to the errors and accusations of Mr. Macaulay, I shall do no more in this place than solicit the reader's attention to it,—and leave him to pronounce a final judgment on the case.

I have, in conclusion, to express my grateful thanks to the many excellent friends who have assisted my inquiries or furnished me with original documents for my work. For papers and family information I am particularly indebted to Granville Penn, Esq., of Pennsylvania Castle, Portland Island, great grandson and lineal representative of Penn, and to William Penn Gaskill, Esq., of Rolfe's Hould, near West Wycombe. To Peter Penn Gaskill, Esq., of Philadelphia; to J. C. B. Davis, Esq., Secretary of Legation to the United States Embassy in London; and to Horatio Gates Jones, Esq., Foreign Corresponding Secretary to the

Pennsylvania Historical Society, I am beholden for valuable aid in obtaining information, papers, and scarce books from America; and I cannot refrain from expressing, in a particular manner, my sense of the courtesy of the Council of the Historical Society in sending me copies of their minutes and other works and papers with so much kindness and promptitude. To the kindness of Jacob Post, Esq., of Islington—the author of an excellent little tract on Penn—I owe an original letter and the interesting autobiography of Lady Springett. Thomas Thomson, Esq., of Liverpool, is a creditor on my gratitude for several original documents of interest, of which I have made ample use. Thomas Lister Jackson, Esq., F. R. S., has been good enough to place in my hands Penn's MS. statement of his connection with the Fords, from which I have gleaned important information. To Thomas Thomson, Esq., of York, I am indebted for an examination of his unique collection of Story MSS.; and to Charles Gilpin, Esq., and to James Bowden, Esq., the excellent Secretary of the Society of Friends, for the perusal of the rare books, the original minutes, and other valuable papers preserved at Devonshire House; as also for much information from the admirably executed Register of the Society. To Professor Walker, of Wadham College, Oxford, and to the Librarians of the Bodleian, and to Dr. Bloxam of Magdalen College, I am obliged for various communications and facilities of research. Nor can I forget my obligations for much valuable suggestion to James Bruce, Esq., the learned editor of the Gentleman's Magazine; and to Peter Cunningham, Esq., the accomplished historian of London. To Sir George Grey, Secretary for the Home Department, I owe the privilege of inspecting the various State Papers in his keeping; and to the Earl Grey, Secretary for the Colonies, the same obligation with respect to the national treasures under his charge. To the officers of the State Paper Office I must express my most grateful thanks for their kindness in facilitating my inquiries. My learned friend, T. Duffus Hardly, Esq., of the Record Office, and Colonel Cathcart, Deputy-Lieutenant of the Tower, deserve my best acknowledgments for the trouble they were good enough to put themselves to in aid of my unvailing search for materials among the documents under their charge. To Bevan Braithwaite, Esq., of Lincoln's Inn,

I am indebted for sundry letters and papers. Through the kindness of Miss Pinney, of Somerton Erlegh House, sister to William Pinney, Esq., M.P. for Somerset, I am in possession of extracts from family papers relating to the Taunton affair. To Charles Weld, Esq., I am indebted for a sight of the MS. records of the Royal Society. My thanks are also due to Sir Charles Trevelyan for his kindness in allowing me to examine the records of the Treasury; and to John B. Lennard, Esq., for the same favor at the Privy Council Office. In conclusion, I must express my particular obligation to the Government of Holland for their permission to take copies of the Van Citters' Correspondence.

W. H. D.

84 St. John's Wood Terrace,
March 1, 1851.

WILLIAM PENN.

CHAPTER I.

1620–1667.

THE FATHER'S HOUSE.

Sir William Penn is one of the suppresst characters in English history. By the general historian he is rarely mentioned, and there are some otherwise good collections of naval biography in which his name does not occur. Yet in an age of great sea-captains he stood in the foremost rank. By the side of Blake and Batten, Ascue and Lawson, his courage and capacity were equally conspicuous; while in his profound nautical science—his fertility of resource—his coolness in the hour of peril, he was no unworthy rival of De Ruyter and Van Tromp. If he stood second to any man in England it was to Blake alone,—and the death of that great commander, while Penn was still only six-and-thirty, left him without a competitor in his own line of service. This fact was fully acknowledged by Cromwell.[1]

There is a fortune in the distribution of historical justice. The sea-captains of the Commonwealth are all neglected,—even Blake, the second name in our naval annals, has never yet found a separate biographer! From the day on which his ashes were cast out of the grave where the piety and gratitude of the nation had laid them, venal writers began to ignore his merits and traduce his fame. The neglects that fell upon him, fell also on his comrades in glory. The splendid services

[1] The discovery of Pepys led, in a great measure, to the discovery of Sir William. His descendant, Granville Penn, has still more recently collected the particulars of his public services in 2 vols. 8vo. 1833.

of the navy were forgotten by leading men of all parties—and Royalists and Roundheads agreed at least in doing a common and continuous act of injustice to the sea-kings of the Commonwealth. The reasons for this neglect lie on the face of the records of that time. The navy was neutral and patriotic when every other power in the state sided with one or other of the factions. How could the cavaliers of the Restoration, bankrupt in genius and in reputation, bear to admit the merits of men like Blake and Penn! They had been the captains of Cromwell. Their genius had strengthened his hands,—given effect to his will,—made England under his rule the arbitress of Europe. This was not to be forgiven. Roundhead writers had no love for the navy because it was not their partisan. Whatever happened on shore, the old spirit of loyalty to the law survived on board. The seaman knew but one duty—to stand by his country. If king and parliament quarrelled, he could not help it; but he shrunk with horror from the thought of imbruing his hands in the blood of his countrymen. Holland and Spain were his fields of action: "It is not for us to mind state-affairs, but to keep foreigners from fooling us," was the maxim of Blake; and in the worst day of his country's troubles, the British tar would have scorned to stand by while a strange regiment or frigate had dared to interfere. This neutral attitude was his crime in the eyes of faction.—There is another reason in the overwhelming interest that attaches to the purely domestic history of the period. There the marine played but an inferior part. The army occupies the centre of the stage. We are conscious of the fact even down to this day. The defeat of Van Tromp—the fall of Dunkirk—the conquest of Jamaica, excite in us little more than a glow of national pride and prowess; but Naseby and Marston Moor, Dunbar and Worcester;—these are names which make the blood bound and the pulse throb in most Englishmen's frames though two centuries have elapsed since the day of conquest and humiliation. The deeds of the military power were done at our own doors,—in our country houses,—in our churches, castles and cathedrals. Halls and hearths still exist on and around which the blood of Englishmen was shed by Englishmen. In every county of the land the material trophies of defeat and victory remain; and in our arts, polity and commerce still more lasting consequences of the march and counter-march of armies. It is not so with the

triumphs of the fleet. The waves of the German Ocean roll over the scene of De Ruyter's skill and Penn's good fortune: —not a single vestige remains of the deadly struggle for the lordship of the seas. If we would see the mighty results achieved by the conquerors of Van Tromp, we must quit our island home; we must visit the archipelagoes of east and west; we must note the bated breath with which the once haughty race of Spain now hold the last fragment of their great empire in the new world,—we must hear the whispering humbleness with which the Dutchman still claims a settlement in that Orient from which his fathers threatened to exclude the merchants of England. To be able to appreciate the merits of these heroes, we must travel far and reason calmly:—but such men can afford to wait the judgments of a distant age.

The Penns were an old family in the early part of the sixteenth century. For many generations they had been settled in a district of Buckinghamshire, from which they received, or to which they have bequeathed, their name. A branch of the house removed to the north-eastern corner of Wiltshire, where they settled on the skirts of Bradon forest, not far from the town of Mintye, in the church of which one of the family, William Penn, who died in 1591, lies buried in front of the altar.[1] This man was grandfather to the admiral. Giles Penn, the son of William of Mintye, married Miss Gilbert, of a Yorkshire family, then recently settled in the county of Somerset; and the offspring of this alliance were, George—who was brought up as a merchant—and, after an interval of twenty years, William. George Penn, when he grew up to manhood, resided much abroad, attending in person to the management of his commercial ventures; and having fallen in love with a Flemish lady of Antwerp—a catholic in religion —married her and removed his house of business to Seville, in the vicinity of which city he passed many years of his life.[2]

His younger brother was intended for another service Giles Penn, the father, was himself the captain of a merchant man trading with the countries of the Levant and with the maritime cities of Spain and Portugal. In this vessel the future admiral worked his way from the lowest station to the highest, under the immediate vigilance of his father's eye; the duty

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[1] Gentleman's Mag. lxxi. 1121.
[2] Memoirs of Sir William Penn by Granville Penn, i. 2.

of every grade was familiar to him, and he had thoroughly learned how to obey before he aspired to command. The merchant service of the period afforded more opportunities for acquiring habits of coolness, courage and dexterity on board than it does in these smoother sailing times. The European seas were then more invested with pirates than the Chinese waters are now; and the sea-robbers of Borneo and Labuan are infants at their work compared with the Greek, the Biscayan, and the Algerine who two centuries ago swept the shores of the Mediterranean, prowled about the river-mouths of Portugal and France, and even ventured to land on our own coasts. These marauders possessed the fleetest ships that ever sailed; and they were manned by the most reckless and daring brigands, armed, equipped and disciplined to the very highest state of efficiency. The warfare which they waged against the commerce of the west was peculiarly atrocious:—they not only captured property, whenever it fell in their way, but took owner and cargo with equal goodwill, and sold them together in the bazaars of Tunis, Tripoli and Algiers. It was usual for the trader to sail with his argosy: hence his life was a series of romantic incidents, more especially if his traffic lay on the shores of the Mediterranean. He carried his cutlass in his hand and his pistols in his belt; and what was still more necessary to his safety, he trained himself in a cautious, watchful and determined habit of mind and body—prepared to sail in peace in the calmer waters or to meet in an instant the most terrible emergencies.

In this school the young sailor matriculated. When he entered the royal navy he was at once selected for a post of command.[1] In an age when merit was the only passport to eminence, he was a captain before he was twenty.[2]

He married early in life. While yet in the merchant service he had become acquainted with a young, handsome and intelligent lady in Rotterdam—Margaret, the daughter of John Jasper, an opulent Dutch merchant.[3] On receiving his promotion the lovers were united, January 6th, 1643, and came to settle in London as most convenient for the care of their

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[1] Granville Penn, i. 3.

[2] "Truth Rescued from Imposture," by William Penn. Works (folio edition), i. 497.

[3] "Hath been heretofore pretty handsome, and is now very discreet." Pepys, Aug. 19th, 1664.

worldly interests.[1] They took a handsome lodging near the Tower, then the fashionable quarter for naval men, even for those of high rank: and when his professional duties left him leisure, Penn received and paid numerous visits and kept up as gay an appearance as his scanty fortunes would allow. At the age of twenty-one he was a fine specimen of an English sailor; he was fond of good living—enjoyed lively conversation[2]—had a taste for cool clarets, but indulged in no unseemly prejudice against the warmer juices of the south.[3] His frame was strongly built—his face bold and noble in expression—his manners had an air of courtliness, and his whole bearing was that of a man born to rise in the world.[4] With his education, and the personal qualities which procure powerful friends, the way of life was open to him on his own terms. In his ambitious fancy he saw himself high in power and station,—and to crown his hopes, he soon found that he was about to become a father. His resolution was to make himself a name,—to lay the foundations of a noble and powerful house. His family had once been rich; it was his cherished purpose, not merely to retrieve its fortunes, but to raise it to a pitch of greatness beyond the day-dreams of his less energetic fathers. Nor were these visions idle; what he conceived he felt he could execute—and he did.[5] In his profession merit secured promotion. He had seen others rise from the lowest stations to the highest—the cabin-boy become an admiral.[6] Why should not he rise too? The times were propitious. Holland assumed the airs of a mistress at sea, and began to treat with scorn the old claim of supremacy advanced by the islanders. This cause of war was ripening fast. Span, too, was growing more and more insolent. The

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[1] This date was not known to Granville Penn. It is one of the thousand facts which we owe to the discovery of Pepys. January 6th, 1661, 2.

[2] "Pepys, Sept. 8, 1660. The edition cited is that of 1848, 9.

[3] "Sir—If my wits can procure me a horse, I shall not fail to wait upon you to-morrow. In the meantime I drink your health in good claret and wish you were well stored with it, I should then be a Turk at it indeed." Letter to Gen. Langhorne. "Dear Sir,—'Tis now grown cold, and 'tis thought a cup of sack would be reasonable. Now the Malaga orangemen are coming home, any of your men, by your order, might bring me a quarter cask. I should be very thankful, and as thankfully repay." Letter to Capt. Batten.

[4] His portrait, painted by Lely, is in Greenwich Hospital.

[5] William Penn Gaskell MSS. Granville Penn, ii. 565.

[6] Heath's Chronicle, p. 198. Deane had been a hoyman's servant at Ipswich; Lawson, a common sailor.

turn which events were likely to take at home was a point that occupied much of his attention. That the quarrel of king and people would proceed to extremities he now, in 1643-4, felt certain; the men of moderate views on both sides had either fallen in the field or had abandoned that moderation which was necessary to a friendly solution of the difficulty. Falkland was dead—Hampden was dead. These few words sum up the state of affairs. The partisans of a republic openly declared themselves; the adherents of King Charles became more absolutist than ever. Confusion on all sides, Penn saw that the strong arm and ready brain would find an ample market. Come what might he was determined to rise in his profession; professional rank would lead to civil rank and honors:—not to the highest, perhaps, there being always a prejudice against new men in England; but the work he had begun his son would finish. He would be well-born. He would live at home and at college with the future officers and servants of the Crown; he would slide naturally and gracefully into aristocratic life. Should he have a genius for military command—a faculty for conducting civil government, there would be no place to which he might not aspire. Meanwhile, as a father he would do his duty; he would gain a name—a fortune—and powerful friends; would deserve rewards of his country and leave the rest to the future.[1] One smiles to think that the child for which this career of earthly greatness was marked out was William Penn!

The first business of the young seaman was to obtain active employment. The dispute of the King and Commons as to which should have command of the marine had just been settled (1643) by the appointment of Lord Warwick, in opposition to the will of Charles, to the office of Lord High Admiral.[2] A part of the fleet, stationed in the Irish seas, adhered to the royal cause under the command of Sir John Pennington, whom the king had vainly tried to make high admiral; but the number of vessels was not formidable even at first, and capture and desertion soon reduced them to such a state of weakness as to prevent their being troublesome to the chiefs of parliament. If Captain Penn had wavered before, his doubts

[1] Pepys accuses him of rising by means of bribery, May 4th, 1667. The charge is absurd,—but it is amusing to see Pepys and the old woman sitting up all night talking scandal of their neighbors.

[2] Rushworth's Collection, v. 312.

were now at an end. In losing his control of the fleet, he saw that the monarch had lost his mainstay, for while this power was in the hands of his enemies it would be impossible for his fellow-sovereigns on the continent of Europe to send him succors, however much they might sympathise with him in secret:—and in an open fight on English ground between the friends of liberty and the supporters of royal prerogative, he knew the latter would be worsted in the end. He cast in his lot with the popular party; and Warwick, who divined his nautical genius, gave him at once the command of a twenty-eight gun ship, which had recently been captured from Pennington, and was then lying in the dockyard at Deptford undergoing repairs. Her destination was the Irish seas, to aid in the blockade of that island, and to prevent succors arriving from France or Spain from entering the ports.[1]

On the 12th of October, 1644, he was ordered to sail, and though Margaret was then in the most critical state of health, every hour expecting to be confined, he would run no risk of appearing to neglect his duty; before day-break he went on board, and at six o'clock, all being ready, slipped anchor and began to drop down the river. This was on Saturday morning; on the following Monday, William Penn was born. On receiving this intelligence, his father appears to have hastily left the vessel and returned to town. It is certain, from the log-book, that the *Fellowship* was detained in the Thames more than a fortnight:—there is little doubt as to the cause.[2]

The child of hope did not disappoint its proud parent. It was a boy. It seemed robust and healthy. Its form was beautiful,—its eyes blue and full of light,—its head well-shaped,—its face mild and intelligent. So far all had prospered. Assured that his wife and infant were out of danger, he rejoined his crew, and by slow stages made his way to the station assigned to him in St. George's Channel. In this service he continued for six years, where he acquired the reputation of being one of the boldest and most successful cruisers in the fleet,—and the prizes taken from the enemy improved both his fortune and his pofessional standing.[3] At twenty-three he was made rear-admiral; at twenty-five vice-

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[1] Granville Penn, i. 90. [2] Ibid. i. 99.

[3] Whitelocke contains numerous entries like the following: 237. "Captain Penn took four vessels from the Rebels."—294. "Three French ships taken by Penn."—528. "Penn come in with five ships."

admiral in the Irish sea; and at twenty-nine vice-admiral of the Straits. In the latter service, he was much engaged against Prince Rupert, whom he chased along the coasts of Portugal,—and was the first captain who carried the renown of English arms into the Italian waters.

In the meantime his son had grown up into a promising and graceful child at Wanstead in Essex, where his wife resided in his absence[1]—and great public events, without parallel at that age in the history of Europe, had taken place in England. Charles Stuart had lost his crown and his life; the hero of Dunbar and Worcester had leapt into his seat. The change from the parliamentary to the protectoral government provoked no change in the admiral. He attended to his own duties and avoided politics. When Cromwell announced to the fleet, that he had taken the reins of power into his own hands, he was one of the first to send in his adhesion, with those of all the officers under his command.[2]

For the next few years the hand of genius was felt in every department of the administration. While the great powers of the State had been in conflict, Spain had treated us with haughty disdain,—France had insulted us at every turn,—even Holland fancied we were no longer worthy of her rivalry. Cromwell soon taught them better. Ireland punished and Scotland pacified, he turned his resolute face towards the continent of Europe. The Dutchman lay the nearest and had most provoked his wrath; but Holland was pre-eminently a naval power, and in dealing with her his invincible infantry was of little use. Genius finds its own resources. Resolved to infuse into the navy, as he had already done into the army, something of his own prompt and vigorous action, he sent from the camp two of his renowned captains, Blake and Monk; but these men, though filled with an energy of spirit akin to their master's, were nevertheless ignorant of seamanship. All that courage, activity and dauntless resolution could effect he expected them to accomplish; but he saw the necessity of placing by the side of these soldiers a captain of consummate nautical ability, and for this important post he selected the young admiral of the Straits.[3] The Lord Protector was aware that his admiral was not attached to him personally, or to his ideas of government, but he needed his services,

[1] Granville Penn. [2] Whitelocke, p. 555. [3] Ibid. 570.

and convinced that he was a thoroughly worldly man, supposed he would in time be able to buy him over entirely. Clarendon asserts that the commander owed his rise to Cromwell: but this is an obvious mistake, as he was an admiral already when the Protector was himself but a major in the army. He gave him employment because he thought him the ablest seaman in his dominions—and the result justified his selection. The power of Holland was completely broken in a series of brilliant engagements, most of them fought under his advice and in his order and plan of battle. Cromwell rewarded him with new employments and an independent sphere of action.[1]

The power of Holland humbled to the dust, the Protector next addressed himself to the affairs of Spain, and with his characteristic vigor resolved to strike a double blow—one in the West Indies, the other in the Mediterranean. Two expeditions were fitted out in the early part of 1655; Blake had command of the one destined to act in Europe; the other, placed under the orders of Admiral Penn and General Venables, was ordered to sweep the Archipelago, disperse and capture the Spanish fleets in those waters, and attack Hispaniola and Jamaica.[2] But before the Admiral went on board, he made his own terms with the Protector. Some property that he had acquired in Ireland having suffered injury by the course of the civil war, he demanded compensation. As Cromwell gave his officers no chance of growing rich out of the secret spoils of the service—as had been the custom in the previous and was again in the succeeding reign[3]—his ear was open to all such complaints; and in the present case he admitted the claim with readiness and in the most cordial and flattering manner. With his own hand he wrote to his agents in the sister island commanding that, in consideration of the

[1] "Truth Rescued," i. 497. Though ambitious of wealth and honors, the admiral was certainly not a corrupt public servant. In 1650-1, he captured in the Mediterranean several prizes, on board one of which were five chests of gold and silver, amounting to several thousand pounds. His captains pressed him to divide this money—offering to make it good if the transaction were ever discovered. Of course he refused. He would not even allow his wife to exchange a Spanish coin for its equivalent in English. His son adds with much simplicity—"In *those* times there was too great a watch over men in employment, to enrich themselves at the cost of the public." Ibid. i. 499.

[2] Thurloe's State Papers, iii. 504 et seq.

[3] Pepys' Life and Corresp. i. 401 et seq.

good and faithful services rendered by the admiral to the Commonwealth, lands of the full value of three hundred pounds a year, as they were let in 1640, be surveyed and set apart for him in a convenient place, near to a castle or fortified place for their better security, and with a good house upon them for his residence. He made it a special—indeed a personal—request that this order should be so obeyed as to leave no cause of trouble to the admiral and his family in the matter; but so that they might enjoy the full benefit of the estate while he was fighting his country's battles in foreign lands.[1] It is clear that the Lord Protector strove to attach the young sailor to his interests, as well from this case, as from the general reports to that effect which long obtained more or less belief.[2] But he failed in the attempt; even when the admiral was asking and obtaining these rewards of faithful services to the Commonwealth, he had already betrayed it in his heart.

Ever watchful over his own interests, he had observed, even when the power of Cromwell was at its height, that the majority of the nation was royalist in opinion, and that the reigning Prince held his seat only by force of his own daring and supreme genius. The Protector could not live forever; at his death mediocrity would succeed to his honors and perils; and this mediocrity must fall before the will of the nation. Nor was this all:—with the Commonwealth would fall the men who had been identified with it, whatever their merits or their services. But for his part he had resolved to rise. He cared neither for Cromwell nor for Stuart, except so far as they could minister to his personal ambition. Cromwell was getting old,—and he fancied it now time to pay his court and make his peace in the royal quarter. With this view he opened a secret correspondence with Charles Stuart, then at Cologne with his dogs and his mistresses, and a few of the loyal cavaliers who had ruined their estates in his father's defence, and now amused his exile by their wit and their quarrels.[3] But his secret was ill kept; not only did the man most concerned soon become aware of this correspondence, but even

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[1] Granville Penn, ii. 19, 20. [2] Pepys' Diary, Nov 9, 1663.

[3] Clarendon, vi. 1—Ellis Orig. Letters, iii. 376, second series. The reader will be amused on comparing Charles's own account of his life at Cologne with that given by his Chancellor.

some of his political friends, and his old acquaintance Sir Harry Vane began to suspect him of inconstancy.[1]

He either remained unaware that these suspicions had been excited, or was resolved to go through his work with a high hand. On the 25th of December, a few days after leaving Spithead, he sent an offer to Charles to place the whole of the fleet under his command at his disposal, and to run it into any port that might be designated for that purpose.[2] It is impossible to relate this offer without indignation. Had the Admiral been personally attached to Charles Stuart, he ought not to have taken service under a soldier of fortune whom he must then have regarded as an usurper. The cavalier who stood by his prince through all changes of fortune may be admired even by a republican:—Clarendon is as reputable a character as Blake—and Falkland stands in history not unworthily by the side of Hampden. But for the man who seeks a trust merely to betray it, who uses his sword to strike the hand he voluntarily swears to defend, no term of reprehension is too strong. Admiral Penn's case was one of peculiar baseness,—for he added ingratitude to treason.

Nothing came of the offer for the moment. Charles had no ports,—no money to pay seamen,—nothing for them to do, unless he had turned privateer like his cousin Rupert: so with many thanks for the offer, he told the sailor to go on the usurper's errand, and reserve his loyalty for a more propitious season.[3] The Exiles were not sorry to see Cromwell attack the Spaniards; as they expressed it, every new enemy to the English Commonwealth would be a gain to them. But the offer in itself gave them the greatest hopes; it was the most considerable defection that had yet taken place; and counting on his ability to surrender the fleet at the earliest opportunity, they at once applied to Spain for the loan of a port.[4] Cromwell who had better means of knowing what passed in the Exile's court than the Prince himself, was soon made aware of this offer and the result; but he kept an inscrutable silence, and the armament was allowed to leave the European waters without interruption.[5]

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[1] Pepys. Nov. 9, 1663. [2] Granville Penn, ii. 14.

[3] Clarendon, vi. 6. The Clarendon used in this work is the Oxford edition, 7 vols. 1849: the only one complete.

[4] Mem. of Marquis of Ormonde. Carte's Coll. ii. 3. Clarendon, vi. 6.

[5] Confident in his own genius, Cromwell seldom hesitated to employ a

It is not necessary to relate the details of this famous expedition. Through the incapactity of General Venables the attack on Hispaniola failed. That the admiral was guiltless of any share in the failure is quite clear, for he never went on shore near the scene of the great disaster,[1]—which would have ended in the complete defeat and perhaps dispersion of the troops under the walls of St. Domingo, had he not sent a body of his seamen with Admiral Goodson to the rescue. The whole army and navy were chagrined by the failure; and to atone in some measure for this unexpected reverse of fortune, the naval commander attacked the magnificent island of Jamaica, and at a small sacrifice of life added it to the British dominions.[2] The tropical splendors of the island enchanted the young admiral: he examined the soil and natural productions with interest, and after his return to England often made those far outlying provinces of the empire a subject of his fire-side discourse. But another cause contributed still more to make this voyage and the American colonies generally a theme of constant conversation in the presence of the boy who was to be the founder of Pennsylvania—the real or affected anger of Cromwell at the failure on the larger island, visited equally on admiral and general. They were both summoned before the council at Whitehall. Venables threw the blame on Penn; Penn threw the blame on Venables. For reasons which were not stated to the council, but which are evident enough now, the Lord Protector chose to consider them as equally culpable; and at his instance the pliant council stript them of their offices and dignities,—and consigned them to separate dungeons in the Tower.[3]

This was a terrible blow to the admiral's family. While her husband was absent on his professional duties, Margaret Penn chiefly resided at the country-house in Essex, and her

known intriguer if he needed him. When Monk began his secret communications with the Stuarts, he contented himself with writing in a bantering postscript—"There is a cunning fellow in Scotland, called George Monk, who lies in wait there to serve Charles Stuart—pray use your dilligence to take him, and send him to me." Price 712 (quoted by Lingard, xi. 409).

[1] Truth Rescued, i. 497. [2] Whitelocke, Sept. 1656.

[3] Granville Penn, ii. 140, l. The substance of the examination is preserved in Thurloe, iv. 28, 55; a glance at which will prove that the ostensible ground of his imprisonment was not the real one. That Penn was not concerned in the failure on Hispaniola, is evident from Whitelocke, 629, and rom the letters of Winslow and Butler (the fleet commissioners) in State Papers

son was sent to learn the first rudiments of scholarship at a grammar-school at Chigwell, then recently founded by the Archbishop of York. The family, now consisting of three children,—William, Margaret and Richard,—were living at Wanstead when the admiral returned, was arrested and sent to prison. The eldest son, eleven years old, a quick-witted and affectionate child, was overwhelmed with melancholy at these events. While in this state of mind he was one day surprised in his room, where he was alone, with an inward and sudden sense of happiness, akin to a strong religious emotion; the chamber at the same instant appearing as if filled with a soft and holy light.[1] This incident has been regarded by some as a miracle,—by others as a delusion. But is it out of the course of nature for a lively and sensitive child, on the morrow of a grief so crushing, to fall into one of those morbid conditions of the mind in which the thoughts and the reveries appear to stand out as apart from the individual? The date of the miraculous manifestation is not clearly fixed: the boy is only described as eleven years old, but as his father was set at liberty by Cromwell within a few days of his eleventh birthday, it is probable that the glory which filled the room and the feeling which suffused his frame were simply the effects of a sensitive temperament over-excited by the glad tidings of this release.[2] Not liking the still life of his dungeon, the admiral had sent a humble petition to the Council, in which he acknowledged his faults, and threw himself on the Protector's mercy;[3] and Cromwell, who admired his genius, though he no longer hoped to win him over to his own interests, generously and at once restored him to his family and freedom.[4] But no sooner was he again at liberty than he commenced a new series of intrigues. His own profession closed to him, he pretended to give up politics and public business, and taking his family with him he removed into Ireland, lived for several years in the unmolested enjoyment of the estates which had been given to him for faithful services to the Commonwealth,—and at the very time was using his whole influence to prepare in secret a way for the return of the exiled princes.[5]

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[1] Travels into Germany and Holland, i. 92.

[2] In the MS. autobiography of Lady Springet, I read of several dreams of this nature. They were the common incidents of the time.

[3] Burchett, 395. [4] Granville Penn, ii. 142. [5] Ibid. ii. 143, 167.

During these years his son William rapidly improved, under the direction of a private tutor from England, in useful and elegant scholarship. He exhibited already a rare aptitude for business, and his father saw no reason to apprehend that he would not inherit to the full his own bold and worldly ambition. In person he was tall and slender, but his limbs were well knit, and he had a passionate fondness for field sports, boating and other manly exercises. Altogether he had made so much progress that the admiral thought him ready to begin his more serious studies at the University. After due consideration it was resolved that he should go to Oxford.[1]

This was in 1659: an eventful year for the admiral's family and for the whole of England. In the evening of the second day of the September previous, a feeling of unusual depth and awe had fallen on the citizens of London:—it was currently whispered that the Lord Protector was on his death-bed! They who had hoped for as well as they who dreaded this event, moved about that night with hushed breath and anxious faces. Every man felt that come what would order and public tranquillity depended on the life then passing away. The royalist dreamed of a return to monarchy,—the Puritan thought of his classic republic,—the soldier hoped for a military government under the control of a council of officers,—the traders, always in favor of established authority, and always in the hour of change an unconsulted and a useless class, wished to see Richard Cromwell quietly succeed. More than one secret conclave was held that night in London, and various projects were announced by the more daring spirits; but the great majority of the people was held in a state of low and anxious melancholy by the solemn scene then enacting at Whitehall. Nature too was in harmony with men's minds. As the night set in it grew unusually dark. The wind then rose. At first it came in sullen puffs and blasts; but as the hours wore on it became a steady gale. At midnight it grew a perfect hurricane. Trees were torn up by the roots in the parks around the Protector's palace. In the city, houses were un-roofed and walls and chimneys blown down. Vessels were snapped from their moorings in the river, and dashed against each other and on the strand.

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[1] Besse, i. 1.

The uncommon darkness brooding over all increased the confusion and the fear. And through the whole length of that terrible night the dying Cromwell prayed that his enemies might be enlightened and forgiven :—" Teach them O Lord !" cried the departing hero, " who look too much upon Thy instruments to depend more upon Thyself,—and pardon such as desire to trample on the dust of a poor worm, for they are Thy people too." Next day he died : it was the anniversary of the battles of Dunbar and Worcester."[1]

The news of this great event soon reached the partizans of the Exile in Ireland, and for a time William Penn's removal to Oxford was deferred. The admiral at once put himself into communication with his Munster friends ;[2] but on comparing ideas it was thought unwise to take any formal steps in favor of Charles. The genius of the dead prince had infused an energy into the march of government which served for the moment to deceive mankind as to the strength of his son and successor ; until that energy was spent, the courtiers only dared to look on from a distance and watch the current of events in the camp,—for the army was now thoroughly master. During the year next after the Lord Protector's death the Penns remained at their Irish estates : William pursuing his studies with his tutor, his father in secret but active correspondence with his friend Lord Broghill and other powerful malcontents in the neighborhood ;[3] but as soon as the intelligence of Richard's deposition came to hand, he saw that now the time had arrived for decisive measures, and he threw off the mask, openly declared for Charles Stuart, and immediately set out for the Low Countries to pay his court and offer his sword to his sovereign. Charles was so glad to see him that he conferred on him the honors of knighthood and employed him in a special service.[4] He employed his time to good purpose. While the army was vacillating between its duties and its wishes he was engaged in bringing over the fleet to the cause of the Restoration ;[5] and this point was so far gained that in a critical moment Admiral Lawson

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[1] Clarendon, vi. 102–3. Heath, 408. Ludlow, ii. 153. The reader should also consult Underwood, 12, and Thurloe, vii. 373.

[2] Granville Penn, ii. 208. [3] Ibid.

[4] Parliamentary History, xxii. 295. There is an entry of £100 paid to him for this special service.

[5] Granville Penn, ii. 216.

brought his ships up to the Tower and there declared in favor of a free parliament—which parliament it was well known would recall the Exiles. When the new writs were issued, the borough of Weymouth, without solicitation on his part, elected Sir William to serve as their representative in company with General Montague.[1] After the resolution to bring the Stuarts back had been carried in both Houses, Montague being appointed to command the fleet sent to the Dutch coast, his colleague went with him on board, in order to be among the first to welcome the king into his own navy. The monarch never forgot these services.[2]

The road to royal favor thus laid open, the admiral was anxious that his son,—whose natural abilities appeared to him of the finest order, and whose love of business and open-air exercises promised a man of active habits and worldly ambition,—should now proceed to the University. To Oxford he went, where he matriculated as a gentleman commoner at Christ Church in the month of October.[3] During his brief residence at college, Oxford was considered to be the seat of wit as well as of scholarship :—and it deserved the reputation. In the chair of the Dean sat the famous controversialist, Doctor John Owen, an old friend of the Lord Protector, and soon to become an object of royalist persecution.[4] The young and brilliant genius of South, long repressed by untoward circumstances, had obtained a hearing, and he had now reached the distinguished position of Orator to the University, thus preparing a way for the delivery of the noble sermons which are still regarded by lovers of our old literature as models of grace and masculine beauty.[5] John Wilmot, too, was there, scattering about him those gleams of wit and devilry which in after life so much endeared the Earl of Rochester to his graceless sovereign.[6] But the noblest and most notable of all the ornaments of Oxford at that day was John Locke—an unknown student in a sequestered cloister of Christ Church, devoting his serene and noble intellect to the study of medicine. Being twelve years older than Penn, it is not probable that these celebrated men contracted more than a casual acquaintance at college : in later life they met again

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[1] Ibid. ii. 209. [2] Ibid. ii. 221. [3] University of Records.
[4] Life of Owen, prefixed to Works in 28 vols. 1826.
[5] Sermons on Several Occasions, 6 vols. 8vo. 1704.
[6] Wadham College, MSS.

—rivals in legislation, but grateful friends in the hour of need.[1]

As he entered on his academical career under the auspices of the royal brothers, he soon obtained a position in the brilliant circle of his college. A hard student, he gave great satisfaction to his superiors; a skillful boater and adventurous sportsman, he soon became a favorite with his equals.[2] His reading at this time was solid and extensive, and his acquisition of knowledge was assisted by an excellent memory. For a boy, he left Oxford with a profound acquaintance with history and theology. Of languages he had also more than the ordinary share. Then and afterwards, while at Saumur, he read the chief writers of Greece and Italy in their native idioms; and acquired a thorough knowledge of French, German, Dutch and Italian. Later in life he added to this stock two or three dialects of the Red men. But his great pleasure and Recreation while at Christ Church was in reading the doctrinal discussions to which the Puritan idea had given rise. The profligate court of Charles had infected the higher classes of society, even before the Restoration actually took place; and that splendid mixture of vice and wit, politeness and irreligion, soon to characterise the youth of England generally, had slowly begun to display itself at the University. But there were not wanting protests. Many of the young men there collected, had, in their early youth, imbibed better notions of religion and morality,—and they firmly resisted every attempt to introduce a more lax and courtly ceremonial into the services of the Church. Other incidents contributed to fan the fire of discontent. Dr. Owen, made Dean of Christ Church by order of Parliament in 1653, was ejected from his office by the Stuarts to make room for their own partizan, Dr. Reynolds: a change intended, among other things, to prepare for the introduction of a more picturesque ritual than had latterly been in use.[3] This measure was very unpopular with the students of Puritan principles: and the displaced Dean kept up a constant correspondence with the members of his college, in which he incited them to remain firm in their rejection of papistical rites and mummeries.[4] Under this sanction, many of them,—and William Penn

[1] Christ Church, MSS.
[2] Wood, art. Penn.
[3] Life of Owen, prefixed to works, 1826.
[4] Ibid. i. 220 et seq.

among the foremost,—boldly opposed the innovations of the court.[1] Yet it was not without pain that he found his conscience at war with the powers whom his father delighted to honor. From the frequent references to these times made in after life, it is evident that his sufferings were acute and long continued.[2] As the lights of truth dawned on his own mind, he was surprised and terrified to find how dark all was outside. Every where, to use his own expression, he saw that a reign of darkness and debauchery was commencing;[3] and his only hope for the future lay in a vague but most romantic dream that a virtuous and holy empire—equally free from bigotry and the dead formalism of State Religions—might one day be founded in those magnificent wildernesses of the New World which had so often formed a topic of the family conversation. But in this fancy his mind discovered a real opening of joy.[4]

While the quarrel of Cavalier and Puritan was raging at Oxford, an obscure person named Thomas Loe—a layman of the city—began to preach the new doctrines taught by George Fox. The neglect of forms and ceremonies in the new ritual, attracted the attention of Penn and of others who, like him, were in a state of revolt at the threatened restoration of popish usages, and going to hear the preaching of this strange word, they were excited and interested, and returned again and again. Their absence from their own services was noticed; the superiors were alarmed; and the young non-conformers were all brought up and fined for the irregularity.[5] This indignity drove them into open rebellion. They banded themselves together to oppose the orders of the court by force. The youngsters paraded the streets in a threatening manner. They not only refused to wear the gown themselves, but they declared war against all who did; and in the public promenades, in the gardens of Christ Church, in the quadrangles of the colleges, they set upon and tore away the hated vestments from the more courtly or timid students.[6] In these outrages Penn's English spirit was con-

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[1] 6 Pepys' Diary, April 28, 1662. [2] Travels, i. 92. [3] Ibid.
[4] Penn to Turner, Pennsylvania Historical Society's Memoirs, i. 203.
[5] Besse, i. 2.
[6] Lady Springet's MS. autobiography is full of the repugnance of Puritans to the vestments of the clergy.

spicuous :—and the immediate consequence was, that he was brought up for judgment and expelled the University.[1]

On hearing of the first and minor offence of nonconformity the admiral was grieved and astounded. The idea of a child of his growing up into a fanatic seemed to his worldly mind preposterous. For himself, though he pursued the course of his ambition with unswerving resolution, he was fond of relaxation,—often went to the play,—loved to dine at a tavern with a set of jovial companions,—and was addicted to all the genial weaknesses of a busy man.[2] He little understood the working of his son's mind; but a vague and undefinable sense of coming evil cast a shadow on his spirits. His friends remarked his clouded brow—the unaccustomed gravity of his speech.[3] The first thought was to separate his heir from his present comrades; and he consulted several persons as to the wisdom of sending him at once to Cambridge.[4] Then came the expulsion. This disgrace struck the proud and ambitious admiral in the heart. When William came home he was received with cold and silent anger. For a time he would hardly see or speak to him. The whole family was plunged into misery.[5] But this stern discipline produced no effect. The admiral observed that his son continued in a low and serious mood of mind, altogether unnatural as he thought at the age of eighteen,—that he avoided the gay and pleasant society to which he had been accustomed all his life,—and he began to fear that he was not taking the wisest course to reclaim him. He still wrote to and received letters from Dr. Owen; and would not admit that he had done wrong in resisting the king's commands about the surplice.[6]

The admiral had two other children; Richard, described by Pepys as "a notable, stout, witty boy,"[7] and Margaret; but his greatest hopes were built on his first-born, whose bright and practical intellect had already impressed him with deep respect. To quarrel with this favorite, more than was needful for his own good, was what he had neither the will

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[1] Pepys, Nov. 2. [2] Ibid. May 3, 1668. [3] Ibid. April 28, 1662.
[4] Ibid. Jan. 25; Feb. 1. [5] Ibid. March 16.
[6] "Sir William much troubled on receipt of letters last night. Showed me one of Dr. Owen's to his son, whereby it appears he is much perverted in his opinions by him; which I now perceive is the cause that hath put Sir William so long off the hooks." Pepys, April 28.
[7] Pepys, Feb. 12, 1665; he died in 1673.

nor the power to do, and after much thought he changed his method. It had occurred to him that the best way to withdraw a young man from sombre thoughts and inferior company would be to send him to the gay capital of Europe. He had not yet seen much of the world:—he proposed to him to set out almost immediately for France. Of course he was delighted: what schoolboy does not start with pleasure at the name of Paris! Some of his college friends were about to commence the grand tour, and it was arranged by all parties that he should join them. They were a gay and graceful set—some of them of the best blood in England. At Paris they stayed some time. Penn was presented to Louis Quatorze, and became a frequent and welcome guest at court.[1] There he made the acquaintance of Robert Spencer, son of the first Earl of Sunderland and Lady Dorothy Sidney—sister of the famous Algernon Sidney—and of several other persons of distinction in the fashionable circles of Paris and Versailles.[2] In this brilliant society the young Penn soon forgot the austere gravity of his demeanor; not many details of his life at this period are preserved,—but the little that is known is characteristic. Returning late one night from a party, he was accosted in the dark street by a man who shouted to him in an angry tone to draw and defend himself. At the same moment a sword gleamed past his eyes. The fellow would not listen to reason. Penn, he said, had treated him with contempt. He had bowed his head and taken off his hat in civil salutation:—his courtesy had been slighted, and he would have satisfaction made to his wounded honor. In vain the young Englishman protested he had not seen him,—that he could have no motive for offering such an insult to a stranger. The more he showed the absurdity of the quarrel, the more enraged his assailant grew:—he would say no more—his only answer was a pass with his rapier. The blood of the youth was stirred; and whipping his sword from its scabbard, he stood to the attack. There was but little light; yet several persons were attracted by the clash of steel, and a number of roysterers gathered round to see fair play and decide upon any points of honor which might be raised. A few passes proved that Penn was the more expert swordsman;

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[1] Gerard Croese, History of Quakers, 41.
[2] Letter to Sunderland, July 28, 1683.

and a dexterous movement left the French gallant unarmed and at his mercy.[1] The company rather expected him to finish his man, as they said he had a right to do by the laws of honor; but he took a different view of the case, and returned the captured sword with a polite bow to its owner.[2] It is petty clear from such an incident that Penn was more of a cavalier than a quaker at this period of his life.[3]

The admiral, now a commissioner of the navy with five hundred a year and a magnificent suite of rooms at the navy-gardens, was so well pleased with his son's conduct in France, that he desired him to remain some time in that country and complete his education: in the meantime he had already settled it in his own mind that when he had done with books and travel he should enter the army, and consulted the Duke of Ormonde and other of his intimate friends as to the needful arrangements.[4] On learning his father's wishes, Penn went to Saumur and placed himself under the care of the learned Moses Amyrault, professor of divinity, and one of the ablest men in the reformed churches of France. With this eminent scholar he read the principal fathers; discussed the history and philosophic basis of theology; and applied himself to a thorough study of the language and literature of the country. At the conclusion of this course of study he began to travel, being furnished with letters of introduction to the best society in France and Italy. He again joined Lord Robert Spencer, and through his means it is probable that he was at this time made personally acquainted with Algernon Sidney, then living in honorable exile rather than compromise his potitical faith.[5] Certain it is that early in life Penn became known to this illustrious exile, and strongly attached to his person and to his political ideas. As the great republican left England in 1659, and did not return until 1677, when they appear to have been long intimate,[6] it is necessary to infer that they were now introduced. Spencer was Sidney's nephew; but blood was the only thing they had in common. Penn accepted his opinions as well as his friendship; and

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[1] "No Cross, no Crown," i. 313. [2] Gerard Croese, 41. [3] Besse, i. 2.

[4] Ormonde to Sir William Penn, Granville Penn, i. 429.

[5] "If I could write and talk like Col. Hutchinson or Sir Gilbert Pickering, I believe I might be quiet; contempt might procure me safety; but I had rather be a vagabond all my life than buy my being in my own country at so poor a rate." Hamburg, August 30th, 1660.

[6] Algernon Sidney to Furly, April 3, 1678.

retained for him through life a noble and disinterested affection.[1]

In the summer of 1664, when he had been about two years abroad, Penn was suddenly recalled from Italy. England was again at war with Holland. On the day of Charles Stuart's restoration, the Dutch revived their old dreams of naval supremacy, and their aims and pretensions had at length outwearied the patience of Whitehall. War was declared. The Duke of York, then Lord High Admiral of England, divided the fleet into three squadrons, one of which he gave to Prince Rupert, a second to Lord Sandwich, and the third was reserved for himself; but, as he had sense enough to know, not one of the three commanders had ever directed a great naval action, nor was qualified by experience and ability to contend against veterans like De Ruyter and De Witt.[2] Sandwich was a soldier, Rupert a mere freebooter, and James, though he had distinguished himself under Turenne, was a stranger to the ocean. The occasion could not be trifled with, and in spite of the jealousy of Sandwich and the rage of Rupert, the royal brothers consulted the admiral as to the course to be adopted,—and he recommended them to employ in their service the old and dauntless captains of the Commonwealth.[3] James had firmness enough to resist the clamor of the royalists when the advice was made known; and many of those who had served under Blake, Lawson, and Penn, were named to the command of vessels. In the hour of peril his naval genius made itself felt on every hand, and the lord admiral looked up to him as to an infallible guide.[4] That the full benefit of his skill and courage might be given to his country, he was named Great Captain Commander, and ordered to take his station on the duke's flag-ship, so as in his name to direct all the really important movements of the fleet.[5]

While thus employed the admiral thought proper to have his son at home; partly to look after the family affairs, and

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[1] Sidney Papers, ii. 155. Penn. Hist. Soc. Mem. iii. second part.

[2] Penn was but 42, yet the Duke always called him in allusion to his long services at sea "Old Penn." Pepy's, June 20, 1664.

[3] Ibid. Nov. 6, 1665. [4] Ibid. Oct. 3, 1664.

[5] Kempthorne Papers in Egerton MSS. "Sir William Penn do grow every day more and more regarded by the duke." Pepys, Oct. 3. "To the office, where strange to see how Sir W. Penn is flocked to by people of all sorts against his going to sea." This is the testimony of an enemy.

partly to ensure his personal safety, as the King of France was believed to be secretly leaning towards an alliance with Holland. As fast as post-horses could carry him he traversed northern Italy, Savoy, and France; and arrived in London about the middle of August, 1664, being then a little less than twenty years old. The change in his manners and appearance threw the polite world into a state of wonderment. Two years before he had gone away a silent, moody boy, whose whim it was to shun gay society, and to consort with a set of strange men, whose habits were vulgar and whose opinions fanatic. He came back a fine gentleman. Like the fashionable young men he had travelled with, he wore pantaloons and carried his rapier in the French mode.[1] He had the graceful carriage, the easy and self-possessed manners, of the best bred men of the world.[2] Both the king and his royal brother noticed him,—and he stepped into his place at court with ease and dignity. With the ladies he was an especial favorite. He had learned in foreign drawing-rooms to lisp the language of polished compliment, and to compose the little *chansons d'amour* which courtly beauties loved to listen to in that age of elegant frivolity.[3] In person he had grown from a slight and unformed youth into a graceful and handsome man. Tall and well set, his figure promised physical strength and hardihood of constitution. His face was mild and almost womanly in its beauty; his eye soft and full; his brow open and ample; his features well defined and approaching to the ideal Greek in contour; the lines about his mouth were exquisitely sweet and yet resolute in expression. Like Milton, he wore his hair long and parted in the centre of the forehead, from which it fell over his neck and shoulders in massive natural ringlets. In mien and manners he seemed formed by nature and stamped by art—a gentleman.[4]

The admiral, delighted with his own success, took care to avoid all reference to the painful past.[5] To prevent the

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[1] Gibson to Penn, March 1712. [2] Pepys, August 30.

[3] "Comes Mr. Penn to visit me. I perceive something of learning he hath got; but a great deal, if not too much, of the vanity of the French garb, and affected manner of speech and gait." August 30. The reader of the Diary will remember how far the censor of these vanities was himself above them.

[4] His portrait, painted at 22, is now in possession of the Pennsylvania Hist. Society.

[5] Besse, i. 2.

slightest risk of a return to his old companions and his old thoughts, he kept him incessantly occupied. He carried him to the gallery at Whitehall,—presented him to great persons, —made him pay visits. He entered him as a student at Lincoln's Inn that he might acquire some knowledge of his country's laws; and to allow him no leisure to indulge in idle fancies, he employed him on the King's business and in his own private affairs. There seemed little fear that he would again go wrong: at least so thought his worldly-minded father.[1]

The crisis of the Dutch war had now arrived. On the 24th of March, 1665, the Duke of York, accompanied by his Great Captain Commander and many other distinguished persons, went on board the Royal Charles. William Penn was on his father's staff and saw, the few days he remained at sea, some smart service between the Dutch and English commanders;[2] but at the end of three weeks he was sent on shore with despatches for the King. On the 23d of April he landed at Harwich about one o'clock; but the day being Sunday there was some difficulty in obtaining horses, and he lost two hours before he succeeded in procuring them, when he posted off, and riding all night arrived at Whitehall before it was yet day-light. Not finding the King up, he sent in a message by Lord Arlington that he had brought news from the duke,—on hearing which Charles leaped out of bed and ran into the ante-room in his night-gown. The courier delivered his letters:—"Oh, it's you!" said the King; "and how is Sir William?" He read the letters and chatted with the bearer more than half an hour, when seeing that he was fatigued with his night's ride he told him to go home and get to bed.[3] Penn returned to his legal studies and continued at them until June, when the decisive battle was fought and won—the battle which struck down once more the naval pride of Holland, and won for the admiral the greatest rewards his sovereign had to bestow,—and the plague broke out in London and compelled him to change his place of residence.[4]

The plague undid in a few weeks the work of years. It

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[1] Granville Penn, ii. 317-8.

[2] Truth Rescued, i. 498. Granville Penn, ii. 342

[3] William Penn to the Admiral, May 6.

[4] Penn to Turner, Penn. Hist. Soc. Mem. i. 201. Pennsylvania Charter, preamble.

was a visitation to make the boldest pause and the least susceptible to religious emotions look the great question in the face. The living fell down in the streets, stricken dead in a moment. The darkest gloom reigned every where. Ten thousand deaths were reported in a single day. The rich fled away to a distance. The poor shut themselves up in their houses and hardly ventured forth in search of food. The fear of death was in all hearts:[1]—and the shock revived the old religious fervor of the young law student, and completely swept away the courtly refinements in which his father delighted to see him excel. When the admiral returned from sea he was surprised and mortified to find how great a change an absence of a few weeks had wrought. His son, again grave and taciturn, had left off French, ceased his attendance at court, paid few visits. Most of his time was now spent in his closet with the great masters of controversial theology and politics, and the limited number of friends in whose society he seemed to find a pleasure were men of sober character and devout lives.[2] Again the dazzling dreams, which to the keen eye of the admiral appeared more and more easy to realize in outward fact, were on the point of being dashed and broken. From the gratitude of the royal brothers he had already received ample rewards; besides his official residence and the salary of five hundred a year as commissioner to the navy, he had obtained the command of Kinsale—castle and fort—worth at least four hundred a year, and a grant of land of the full annual value of a thousand pounds, over and above all charges, quit-rents and deductions. Nor did the royal bounty end with gifts of lands and offices. The services were too great to pass without still higher honors:[3]—and he was given to understand that he would be raised to the peerage in due time with the title of Lord Weymouth, the borough which he then represented in parliament.[4] But what was he

[1] Defoe, ix. 1-204. [2] Travels, i. 92.

[3] All classes looked up to him in the hour of danger. Pepys' meanness is amusing:—"Comes Sir W. Penn to town, which I little expected, having invited my lady and her daughter Pegg to dine with me to-day, which at noon they did, and Sir W. Penn with them; and pretty merry we were. And though I do not love him, yet I find it necessary to keep in with him. His good service at Sheerness in getting out the fleet being much taken notice of, and reported to the king and duke, even from the prince [Rupert] and the Duke of Albemarle themselves. Therefore I think it discretion, great and necessary discretion, to keep in with him." July 1, 1660.

[4] Granville Penn, ii. 317-18. Besse, i. 2.

to do with a shy and moody youth in that splendid and dissipated court? He could think only of one scheme,—and that was to send him away until the mood had again passed off: absence from England had formerly cured him of such follies—it was easy to try the experiment again. So reasoned the worldly-minded father with himself; and the idea once in his mind, he lost no time in carrying it into effect.

At this period of our history the Duke of Ormonde, with whose family the admiral lived on terms of intimate friendship, was vice-king in Ireland; and his court in Dublin was renowned as one of the most refined and cultivated in Europe. The grey-headed old nobleman was himself possessed of an upright mind, a cheerful temper and polished manners: he knew the value of wit and ease; but he never sacrificed to them the more solid qualities of intellect and virtue. About his own person he had gathered all the worth and beauty of the country over which he ruled; and his court was remarkable for its gaiety and correctness—the purity of its morals and the brilliancy of its fashion.[1] In such a circle Admiral Penn had good reason to believe his son would soon forget that hateful gloom. Sensible that while his mind was still fresh and his worldly passions dormant, the society of those profligate idlers and bravoes who swarmed about Whitehall could only lead to a deeper and more radical repugnance to a courtier's life, he took his measures not unwisely: only he had overlooked one important fact—the Quakers were already numerous in Ireland.[2]

Provided with letters of introduction to the Viceroy and to other chief officers of the government, Penn set out for Dublin, where he arrived in the autumn of 1665, and was warmly received by his father's friends. The Duke made him known to his second son, the young Lord Arran, (Ossory being at that time absent in his sovereign's service,) to Lord Dunagle, Secretary Sir George Lane, and the other distinguished persons of his court.[3] He was charmed with the spirit, the intelligence, the high breeding of his young courtier; and in a very short time the accounts sent to the admiral assured him that in separating his son from his London associates he had effectually changed the current of his thoughts. The

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[1] Carte's Life of Ormonde, and the Ormonde Correspondence.
[2] Thurloe, iv. 757. [3] Letters in Granville Penn, ii. 429 et seq.

Ormondes were a family of soldiers:—the pomp and circumstance of war occupied nearly every thought of young Arran and his companions. Penn was still considered a little too grave for one-and-twenty; but he affected no moroseness,—gave up his time and talents to the occupation of the hour,—and one unexpected event gave to his tastes and wishes a powerful impulse towards a military career. This was an insurrection of the soldiers stationed at Carrickfergus. The mutineers seized the castle and spread alarm through the whole country. To the Lord Arran was assigned the arduous task of reducing them to obedience; and impelled by the ardor of youth, Penn offered to serve as a volunteer under his friend. His offer was accepted, and in the subsequent actions of the siege he so distinguished himself by courage and coolness as to extort general applause from his superior officers. Arran was in ecstacies. The Viceroy himself wrote to the admiral to express his great satisfaction with his son's conduct; and at the same time proposed that he should now join the army and have a company of foot as had been agreed between them before his return from France.[1]

This taste of military glory made the volunteer anxious to adopt the sword as a profession. The desire did not lie deep in his mind perhaps; but so long as the career of arms seemed open to him he strongly urged his father to comply with the Duke's proposal, and in more than one letter expressed his chagrin at being kept so long in a state of uncertainty.[2] His impatience amused and gratified the family, then residing at Walthamstow;[3] but the admiral had now changed his views, so that while he freely confessed that he felt proud of his conduct at the attack on Carrickfergus, he refused to allow him to join the regular army. Penn parted from his momentary dream with much regret,—and, that some remembrance of it might be preserved in the family, he had himself painted—the only time in his life—in his military costume. It is a curious fact that the only genuine portrait of the great apostle of peace existing, represents him armed and accoutred as a soldier![4]

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[1] Ormonde to Sir William, May, 29, 1666.

[2] Granville Penn, ii. 431-2. [3] Pepys, August 30.

[4] Granville Penn, ii. 431. The original portraits (there were two copies), are—one of them in possession of his descendant, Granville Penn, Esq. The other in the hall of the Pennsylvania Historical Society.

From this time the family affairs in Ireland occupied the whole of Penn's attention for several months. The lands granted by Cromwell to the admiral for his good and faithful service to the Commonwealth included the town, castle and manor of Macroom—then called Macromp—an estate in excellent condition, with gardens and nurseries in perfect culture, —several woods of great value,—markets of grain and fruit, —and various other manorial rights and dignities attached. But with the Restoration came in a claimant with an indisputable title, and Macroom went back to the Earls of Clancarty. The admiral, however, had taken too much care of his fortunes to suffer by any new changes. The king himself wrote to the Duke of Ormonde commanding him to see that his faithful servant received no injury in his estate;[1]—so that in the end he got in exchange for Macroom a still nobler property in the barony of Imokelly, county of Cork,—including Shangarry Castle and all the lands lying in its immediate neighborhood.

The new grant was of course not free from other claims; and vexatious suits were maintained against the new proprietor for several years. On of the principal persons who disputed the right of the crown to give away the Shangarry estates was Colonel Wallis; and Penn was ordered to put himself into communication with this gentleman. He displayed in the management of the business an address and prudence which astonished the admiral, who thereupon gave up the entire charge of the suit into his hands. This Irish property was the chief dependence of the family, and they always entertained the idea of settling on it as a permanent residence:—a circumstance which makes the confidence of the admiral and the merits of the young manager appear the more conspicuous.[2] Nor did his ducal friend overlook his marvellous aptitude for affairs: he thought of some public employment—now that the intention of making him a soldier was abandoned —in which his services might be made available—and in a short time appointed him to be what we should now call the chief commissariat officer to the fleet stationed at Kinsale, which responsible post he filled to the entire satisfaction of his employer.[3]

But it was in London, not at Kinsale or Shangarry, that the great question of the Irish estates was to be settled. The

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[1] Granville Penn, ii. 617. [2] Ibid. ii. 374. [3] Ibid. ii. 433.

Land Commissioners appointed by the crown to hear and adjust the multitude of intricate cases which had arisen during twenty years of grants, confiscations, forfeitures and restorations, were then sitting; but the admiral had begun to feel a greater degree of confidence in his son's tact and judgment than his own, and he wrote to desire he would get the family affairs into an orderly state and then come over and see the Commissioners,—at the same time giving him some shrewd worldly hints as to the conduct of the victualling department of Kinsale Castle, and begging him to make the passage in calm weather, so as not to run any risk.[1] Penn joyfully obeyed his father's summons, as he had not seen his mother and sister for more than a year, and arrived in London in the month of November.[2] The business was soon arranged. After hearing evidence on both sides the land commissioners confirmed the grant of Shangarry; and assured of this large addition to his fixed income the admiral began to live in a style of yet greater magnificence; he kept several coaches, and in face of his expected peerage proposed to buy Wanstead House, one of the largest mansions in Essex.[3]

Penn did not remain long in London. His father, anxious to keep him apart from his old Puritan friends—and to sustain the habit of devotion to his temporal interests into which he seemed gradually falling, sent him again into Ireland. He had no suspicion that the enemy of his peace lay in ambush at the very gates of his stronghold. But the youth had not resided more than a few months at Shangarry Castle before one of those incidents occurred which destroy in a day the most elaborate attempts to stifle the instincts of nature. When the admiral in England was pluming himself on the triumphs of his worldly prudence, his son, on occasion of one of his frequent visits to Cork, heard by accident that Thomas Loe, his old Oxford acquaintance, was in the city and intended to preach that night. He thought of his boyish enthusiasm at college, and wondered how the preacher's eloquence would stand the censures of his riper judgment. Curiosity prompted him to stay and listen.[4] The fervid orator took for his text the passage—"There is a faith that overcomes the world, and there is a faith that is overcome by the world." The topic

[1] Granville Penn, ii. 434. [2] Penn Gaskell MSS.
[3] Pepys, April 19.—June 25.—Granville Penn, ii. 433. [4] Besse, i. 2.

was peculiarly adapted to his own situation. Possessed by strong religious instincts, but at the same time docile and affectionate,—he had hitherto oscillated between two duties—duty to God and duty to his father. The case was one in which the strongest minds might waver for a time. On the one side —his filial affection, the example of his brilliant friends, the worldly ambition never quite a stranger to the soul of man, —all pleaded powerfully in favor of his father's views. On the other, there was only the low whisperings of his own heart. But the still voice would not be silenced. Often as he had escaped from thought into business, gay society or the smaller vanities of the parade and mess-room,—the moment of repose again brought back the old emotions. The crisis had come at last. Under Thamas Loe's influence they were restored to a permanent sway. From that night he was a Quaker in his heart.[1]

He now began to attend the meetings of this despised and persecuted sect, and soon learned to feel the bitter martyrdom to which he had given up all his future hopes. In no part of these islands were the Quakers of that time treated as men and as brethren,—and least of anywhere in Ireland. Confounded by ignorant and zealous magistrates with those sterner Puritans who had lately ruled the land with a rod of iron, and had now fallen into the position of a vanquished and prostrate party—they were held up to ridicule in polite society, and pilloried by the vulgar in the market-place. On the 3d of September (1667) a meeting of these harmless people was being held in Cork, when a company of soldiers broke in upon them, made the whole congregation prisoners, and carried them before the mayor on a charge of riot and tumultuous assembling. Seeing William Penn, the lord of Shangarry Castle, and an intimate friend of the Viceroy, among the prisoners, the worthy magistrate wished to set him at liberty on simply giving his word to keep the peace, but not knowing that he had violated any law he refused to enter into terms and was sent to gaol with the rest. From the prison he wrote to his friend the Earl of Ossory—Lord President of Munster—giving an account of his arrest and detention. An order was of course sent to the mayor for his immediate discharge; but the incident had made known to

[1] Travels, i. 92

all the gossips of Dublin the fact that the young courtier and soldier had turned Quaker![1]

His friends at the vice-regal court were greatly distressed at this untoward event. The earl wrote off to the admiral to inform him of his son's danger, stating the bare facts just as they had come to his knowledge. The family were thunderstruck. The father especially was seriously annoyed; he thought the boy's conduct not only mad, but what was far worse in that libertine age—ridiculous. The world was beginning to laugh at him and his family:—he could bear it no longer.[2] He wrote in peremptory terms, calling him to London. William obeyed without a word of expostulation. At the first interview between father and son nothing was said on the subject which both had so much at heart. The admiral scrutinised the youth with searching eyes,—and as he observed no change in his costume, nor in his manner any of that formal stiffness which he thought the only distinction of the abhorred sect, he felt re-assured. His son was still dressed like a gentleman; he wore lace and ruffles, plume and rapier; the graceful curls of the cavalier still fell in natural clusters about his neck and shoulder:—he began to hope that his noble correspondent had erred in his friendly haste. But a few days served to dissipate this illusion. He was first struck with the circumstance that his son omitted to uncover in the presence of his elders and superiors; and with somewhat of indignation and impatience in his tone, demanded an interview and an explanation.[3]

William frankly owned that he was now a Quaker. The admiral laughed at the idea, and treating it as a passing fancy, tried to reason him out of it. But he mistook his strength. The boy was the better theologian and the more thorough master of all the weapons of controversy. He then fell back on his own leading motives. A Quaker! Why the Quakers abjured worldly titles:—and he expected to be made a peer! Had the boy turned Independent, Anabaptist,—any thing but Quaker, he might have reconciled it to his conscience. But he had made himself one of a sect remarkable only for absurdities which would close on him every door in courtly circles. Then there was that question of the hat. Was he to believe that his own son would refuse to uncover

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[1] Besse, i. 3. [2] Pepys, Dec. 29, 1667. [3] Besse, i. 2

in his presence? The thing was quite rebellious and unnatural. And to crown all,—how would he behave himself at court? Would he wear his hat in the royal presence? William paused. He asked an hour to consider his answer,—and withdrew to his own chamber.[1]

This enraged the admiral more than ever. What! a son of his could hesitate at such a question! Why, this was a question of breeding—not of conscience. Every child uncovered to his father—every subject to his sovereign. Could any man with the feelings and the education of a gentleman doubt? And this boy—for whom he had worked so hard—had won such interest—had opened such a brilliant prospect—that he, with his practical and cultivated mind, should throw away his golden opportunities for a mere whimsy! He felt that his patience was sorely tried.[2]

After a time spent in solitude and prayer, the young man returned to his father with the result of his meditation—a refusal.

The indignant admiral turned him out of doors.[3]

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[1] Besse, i. 4. [2] Ibid.

[3] Travels, i. 92. The admiral's temper was hasty and choleric. "Homewards again, and on our way met two country fellows upon one horse, which I did, without much ado, give the way to, but Sir William would not; but struck them, and they him, and so passed away; but they giving some high words, he went back again and struck them off their horse in a simple fury." Pepys, April 18, 1661.

CHAPTER II.

1667–1670.

IN THE WORLD.

It now becomes necessary to inquire into the origin of these facts; to see whether it were a reasonable conviction or a mere madness which induced William Penn, not only to abandon forever the hope of attaining to the brilliant position marked out for him by the admiral, but to bear exclusion from the home in which he had been reared,—to brave the anger of a father whom he loved,—and to forfeit in a great measure the society of a mother and sister to whom he was tenderly attached.

The chief part of this explanation is to be found in the history of the time. When the civil troubles commenced in England, the entire intellectual and moral texture of society was ravelled. In looking back to that period, it is too much the habit to confine attention to the extraordinary variety of opinions which prevailed in politics:—the social state was even more anarchial. Between Hampden and Falkland the space was narrower than between Laud and Fox. If in political ideas, from the school of divine right, through the educated democracy of Milton, down to the wild republicanism of the Fifth-Monarchy Men, all was confusion,—the religion of the numberless sectaries will still less reducible to order. The mere names of the leading sects into which the Church had dissolved itself in a few years are suggestive. Only to name a few of them, there were,—Anabaptists, Antinomians, Antiscripturists, Antitrinitarians, Arians, Arminians, Baptists, Brownists, Calvinists, Enthusiasts, Familists, Fifth-Monarchy Men, Independents, Libertines, Muggletonians, Perfectists, Presbyterians, Puritans, Ranters, Sceptics, Seekers, and Socinians. Feakes and Powell, worthies of the Anabaptist faith, openly preached at Blackfriars a war of conquest and extermination against the continent of Europe. Their eyes lay more especially on the inheritance of the Dutchman:—God, they proclaimed, had given up Holland as

a dwelling-place for his saints, and a stronghold from which they might wage war against the great harlot. The Fifth-Monarchy men protested against every kind of law and government: Christ alone, in their opinion, ought to reign on earth, and in his behalf they were anxious to put down all lawgivers and magistrates. The Levellers were at least as mad as any sect of Communists or Red Republicans of modern date. The national mind was in a paroxysm of morbid activity; and the bolder sort of spirits had cast away every restraint which creeds and councils, laws and experience, impose on men in ordinary times. Institutions which are commonly treated with a grave respect, even by the unbelieving, were made the subject of coarse jokes and indecent mummeries. In the cant of the time a church was a tabernacle of the devil,—the Lord's Supper a twopenny ordinary.[1] St. Paul's Cathedral and Westminster Abbey were both used as stables for horses and as shambles for butchers.[2] Hogs and horses were taken to fonts filled with foul water, and baptized according to the established ritual, for the amusement of common soldiers and the painted women who attended the camp as their paramours.[3] Mares were allowed to foal in cathedrals, and the lowest troopers to convert the most sacred edifices into beer-shops.[4] Even our venerable abbey, the resting-place of kings and heroes, was for a time used as a common brothel.[5] The sarcasm of the soldiers was—that as the horses had now begun to attend church, the reformation was at length complete.[6] Sober and religious men were equally insane. A sect arose which professed to believe that a woman has no soul, no more than a goose.[7] Another body of grave men believed there is no difference between good and evil. Atheists became numerous; and, as usual, atheism was attended with the lowest and most debasing superstitions. In more than one part of the country prostitution was practised as a religious ordinance.[8] One fellow was found with no less than seven wives,—another had married his father's

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[1] Howell's Letters, 644.

[2] Foulis' Hist. of Plots and Conspiracies, 136, Oxford, 1674.—Character of England, 11 et seq.

[3] Edward's Gangræna, Part iii. 17.

[4] Newes from Powles, (St. Paul's) 1649.

[5] Mercurius Rusticus, 237. [6] Character of England, 13.

[7] Fox's Journal, 6. [8] Mercurius (section Democraticus) Nos. 1-30.

wife,—a third having seduced a wretched woman, gave out that she was about to be delivered of the Messiah. Hundreds of persons set up as prophets; and several men, a little madder than the rest, were sent to Coventry gaol for declaring themselves to be God Almighty come down from heaven; but once locked up, their godships did not enable them to open the prison-gates.[1] From Newgate downwards, the prisons were full of these fanatics: fools or knaves, whom nevertheless thousands of their countrymen regarded as holy martyrs, suffering from the children of this world the injustice which has ever been the portion of prophets and apostles. A fact that is particularly curious is, that the fanaticism usually commenced in the higher classes:—among magistrates, colonels in the army, ministers of the gospel, and gentlemen of estate. It was only by degrees that the madness descended to the lower orders of society.[2] A person of wealth and standing in Warwickshire, shut himself and his family up in his house to starve from a fanciful sense of religious duty; and when the neighbors broke into the house, they found one of the children already dead.[3] One Sunday a respectable tailor, named Evan Price, got up in one of the city churches in the middle of the sermon, and declared himself to be Jesus Christ in person. The incident of course made some stir, and the tailor was taken before the lord mayor—a judge it is to be supposed in such matters—where he maintained the correctness of his assertion, and offered to prove it by showing the marks of the nails in his hands by which he had been fastened to the cross sixteen hundred years before![4] When acting under any strong excitement, the folly of mankind is illimitable. To verify the text—"Man shall not live by bread alone," one of the prophets tried to do without eating. The text proved to him a dead letter: for he expired just as he was on the point of establishing the prediction.[5] Yet these were not the most revolting incidents of the revolutionary period. A fiend in the guise of woman offered up her child as a sacrifice in imitation of the Hebrew rites,—another crucified her mother. Yet with all this folly, blasphemy and madness, a deeply religious spirit possessed the nation; and a general toleration for the sects which grew up under the

[1] Fox's Journal.
[2] Lady Springett MS.
[3] Torshall's Hypocrite Discovered, 1644.
[4] News Tract, January 10, 1646.
[5] Whitelocke, 624.

excitement was one of the happiest issues of the Commonwealth.[1]

It was into a world thus racked and torn, politically, intellectually and morally, that William Penn was born. The very year in which his father had so fondly welcomed his birth, a rude, gaunt, illiterate lad of nineteen, a shoemaker by trade, and affected with the religious fervor of the age, being at a country fair in his native Leicestershire, met with his cousin and another friend there,—and the three youths agreed to have a stoup of ale together. They accordingly adjourned to a tavern in the neighborhood, and called for drink. When this first supply was exhausted, the cousin and his friend called for more,—began to drink healths, and said that he who would not drink should pay the entire ale score. The young shoemaker was alarmed at this proposal—for he was low in purse, and honest in his dealings; whereupon, as he explained the circumstance afterward, he put his hand into his pocket, took out a groat, laid it down on the table, and said—"If it be so, I will leave you." And so he went home.

This simple village alehouse incident was one of the most important events which had yet happened in the history of the Anglo-Saxon race; for out of it was to come Quakerism, the writings and teachings of Penn and Barclay, the colony and constitution of Pennsylvania, the republics of the west, and in no very remote degree the vast movement of liberal ideas in Great Britain and America in more modern times. The illiterate and upright shoemaker, who would drink no more ale than he could pay for, was George Fox.[2] "I went away," he afterwards wrote in his journal, "and when I had done my business, returned home. But I did not go to bed that night; nor did I sleep: but sometimes walked up and down, and sometimes prayed, and called to the Lord."

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[1] "One day, I, by accident, going through ye city from a country house, could not pass through ye crowd (it being a day wherein ye Lord Mayor was sworn), but was forced to go into a house till it was over. I, being burthened with the vanity of this show, said to a professor that stood by me—'What benefit have we by all this bloodshed, and Charles being kept out of ye nation, seeing all these follies are again allowed?' He answered, 'None, that he knew of, except ye enjoyment of their religion.' To which I replied, 'That is a benefit to you that *have* a religion, to be protected in the exercise of it, but it is none to me.'"—MS. Autobiography of Lady Springett.

[2] Fox, 3.

During this long night of watching and prayer, the boy thought he heard a voice from heaven, which said to him—"Thou seest how young people go together into vanity, and old people into the earth: thou must forsake all, young and old, keep out of all, and be a stranger unto all."[1] Now, as George had not yet taken a fancy to the profane arts of reading and writing, he was not aware that other men have a way of explaining such messages in a metaphorical sense; he stood indeed quite outside the pale of all such verbal subtleties, and accepted the intimation in the form in which it made itself known to his understanding. He got out, and, without purse or scrip, began to wander about the country, inclining his course towards London. On the way he was troubled with many doubts as to whether he had done right in leaving his father and mother; but the Spirit urged him on, and he entered the great city.[2] To him it was a place of worse than heathen darkness. He went to the churches and to the learned and titled doctors; but he found no peace in the gospel which they taught. The strife in his own spirit increased in violence and bitterness. His soul was out far away on a dark and tempestuous sea; he struggled manfully to get at some gleam of light—at some assurance of safety; but his efforts were for a long time in vain. When he talked to the educated priests, he found them as ignorant as himself, —and he went away from them disgusted and despairing. Quitting London, he returned to his home at Drayton out of tender regard for his parents, who had become very anxious on his account. His mother took a woman's view of his case and advised him to marry. His male companions thought he had better join the auxiliary band and drum his melancholy away. He only marvelled at their ignorance. Again he was unable to resist the urgings of the spirit; again he begun to wander about, often without food, seldom resting in a bed at

[1] Visions and strange voices were not confined to the vulgar in those days of pious exaltation. Education and gentle blood had no power to scare them away. Lady Springett, in her ecstatic dreams, twice saw and spoke with the Son of God. The first time she saw him, he was a beautiful youth, dressed in grey cloth:—this was before she had ever heard of a Quaker. The second vision was more impressive; "The man with greater majesty and sweetness than ever I saw any—brown hair—black, quick and shining eyes—fresh and ruddy complexion—affable—dominion in his countenance, and great gentleness and kindness." MS. Autobiography.

[2] Fox's Journal, 3.

night, but always with the Bible in his hand, and its mysterious words racking in his brain. "I fasted much," he writes in his journal, "walked abroad in solitary places many days, and often took my Bible and sat in hollow trees and lonesome places until night came on; and frequently in the night walked mournfully about by myself. For I was a man of sorrows in the first working of the Lord in me."[1]

These workings of the Spirit continued for several years. While the dark dream lay on him he never ceased his wanderings—he never ceased to interrogate gentle and simple, learned and unlearned, as to the grounds on which they rested their hopes of salvation. At that time such a course of life excited no surprise. Fox only appeared to be a little more mad than hundreds of others; while he evidently had somewhat more of method in his madness. Hearing of a learned doctor, named Cradock, who lived at Coventry, Fox girded up his loins and went to talk with him about temptation and despair, and how the thought of sin came to trouble the soul of man. They were walking in the doctor's garden, and one of the alleys being narrow, the truth-seeker, in turning round happened to touch the side of a flower-bed with his foot, at which the parson "raged as if his house had been set on fire." Poor George went away more melancholy than he had come. As Penn afterwards said, he felt how irreligious were all the religions of this world and the professors thereof![2]

He went to another Priest at Mansetter, in Warwickshire, an old man, and reasoned with him about despair and temptation and the soul's inward struggles. The parson listened to the story of his visitor, and advised him to sing psalms and smoke tobacco. Luther had told a young student of theology who came to him with his troubles about fate, free-will, and preordination, to get well drunk and his difficulties would speedily disappear. But Fox detested tobacco, and he was too sad to sing. His mischievous adviser told the milkmaids of his errand, and they laughed at him, which he did not like. So once more he went away empty. The doctor, he thought, did not understand the disease of which he suffered. There are some who will think otherwise.[3]

At length comfort came to him from within. The truths which he had vainly sought, at the hands of those reared in a

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[1] Fox's Journal, 7. [2] Ibid. 4. [3] Ibid. 4.

knowledge of the law, began to acquire a certain clearness and cohesion in his own mind.[1] Much reading of the Book of books,—deep mental anguish,—and bodily sufferings such as few men have ever endured, each contributed its lesson. The school of pain is hard but productive;—and out of it George Fox emerged a new man. And not only a new, but to some extent a gifted man. His own earnest nature supplied the native springs of eloquence; familiarity with the pure and nervous diction of the English Bible supplied him with a vehicle; and when the unlettered shoemaker began to preach the comfort which he had found for his own troubled soul, he astonished even his most sober hearers with the force and dignity of his language.[2] Fox himself regarded his fluency as a miracle; and from that time forth he never doubted that he had received an appointment from God to deliver a new Gospel to mankind. From that day he waged war against all creeds and councils, prophets and pretenders, lords, magistrates and private individuals, who refused to accept him as their teacher,—and was ready to inflict or to suffer any amount of pain and privation for opinion's sake. To understand the perils of such a position, one must remember that every third man in England was possessed by just such a spirit as his own; a spirit too fervent and exalted to take heed of mere physical torture. Toleration was then only the dream of a few students:—the soldiers of the cross took no quarter and they gave none.[3]

George Fox went into churches and disturbed the service. In the midst of a sermon he would stand up and cry to the minister—"This is not true gospel, come down, thou deceiver." Brought before the magistrate, he refused to take off his hat—pleading a direct command from God not to uncover his head or to make obeisance to an equal,—and defended his conduct in the church with a rudeness and vehemence that to men of education and refinement savored of insanity. The disturber was beaten and stoned by the rabble, pilloried and imprisoned again and again by the magistrates.[4] But indignity and

[1] Ibid. 6 et seq.

[2] Men of learning and moderation, like Penn and Barclay, were equally impressed by his manner with the vulgar. Penn calls him "an angel and special messenger of God." It must be said, however, that the expression occurs in a letter to the angel's wife. Penn to Margaret Fox, January 8, 1678, MS.

[3] Fox's Journal, 17.

[4] Journal, 169, and in a hundred other places.

punishment produced no change in his conduct. More of his time was spent in gaol than out of it;—yet he had no fear of gaols. He entered them without a murmur; he refused to leave them except with honor. King Charles once offered him a pardon: he would not take it, because a pardon implied a confession of guilt.[1] If the prison-gates were thrown open to him unconditionally he would walk out—not else. It was a part of his public mission to show that the persecuting spirit may be wearied out by a man who is steadfast in suffering:—and he achieved it.[2] His constancy, his contempt of pain, gained for him the sympathy of multitudes who might never have been reached by his doctrines. Here as everywhere in the history of opinion, persecution became the chief arm by which his influence was propagated. Whoever is right, said Penn afterwards, the persecutor must be wrong.[3] Hundreds of the restless and discontented in every county of England embraced his tenets; Foxite or Quaker meeting-houses sprang into existence; and when out of gaol the founder of the new sect was fully occupied in visiting these communities or in carrying the war still further into the enemy's camp. The whole earth was his quarry, and he worked it with all his might.[4]

Fox had got an idea in his mind:—and ideas rule the world. It was not his own in the first instance; nor did he ever perceive its true relation to other systems of thought and religious creeds. It was the ancient mystic idea,—adopted by Origen, and faintly to be traced in the speculations of the Neo-Platonists,—that there lies concealed in the mind of every man a certain portion of Divine light—a real spark of the infallible Godhead. In this mysterious light the Mystics had found the highest guide of human conduct, and Fox had somewhere caught at the doctrine. It suited his restless and imperious instincts:—it made of man a god. When he began to preach the doctrine, he took its boldest forms. The inner light, he said, was above any outward teaching. Law, history, experience, revelation itself was liable to error; the Divine light was alone infallible. Of the diagnosis of his case, he had but a confused and imperfect notion; whether

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[1] Fox's Journal, 405. [2] Penn to Fox, July 5, 1674, MS.

[3] So early as 1655, the Quakers had increased so far as to attract the serious attention of foreign statesmen. Bordeaux to Cardinal Mazarin, Feb. 4, 1655. [4] Lady Springett's MS.

this inner light was the thing some men call conscience—others reason, was a question he never troubled himself to answer; for he had a huge distrust of human learning and human inventions, but none of the promptings of his own spirit.[1] What he calls "Hebrew, Greek, and Latin, and the seven arts," he regarded as little better than devilry and paganism. The knowledge of many tongues, he said, began with rebellion against God; at the beginning therefore languages were accursed, and so they continued: it was the woman and the beast which had power over tongues.[2] God, he contended, stood in no need of human learning; to which South replied very finely—If God does not stand in need of human learning still less does He stand in need of human ignorance. But Fox went on his way rejoicing. The inner light was enough for him and for all men. Even the Scriptures were to some extent superfluous; and he ventured to reject them when they could not be made to harmonize with the light within.[3] Never was there a greater innovator than this George Fox. Philosophies, religions, arts, legislations, were as nothing in his system. Every man was complete in himself; he stood in need of no alien help; the light was free of all control—above all authority external to itself. Each human being, man or woman, was supreme.

Here was an intellectual basis for democracy! In an age of anarchy, when men were running to and fro in search of a revelation, a doctrine like this naturally attracted to itself many of the more restless and dissatisfied spirits; and as each of these added to its dogmas his own peculiar vagaries and oddities, the followers of George Fox, or the Children of Light, as they called themselves, were for several years only known to the general religious world by the extravagance of their behavior:—an extravagance which in many cases amounted to a real insanity. Entering and disturbing churches and dissenting congregations in the manner of their Master, was the most innocent mode of displaying their new-born zeal. This they considered a sacred duty: and they performed it not only in England, where their tenets were understood, but in foreign towns and cities very much at

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[1] Fox, 18, and on almost any page. [2] Ibid. 280.

[3] Fox, 22. He says the Scriptures are to be judged by the Light—without which they are useless.

their personal peril.[1] Divers persons among them were moved of the spirit to do things—some fantastical, some indecent, some monstrous. One woman went into the house of Parliament with a trenchard on her head, to denounce the Lord Protector, and before the face of his government, dashed the trenchard into pieces, saying aloud—"Thus shall he be broken in pieces." One Sarah Goldsmith went about the city in a coat of sackcloth, her hair disheveled, and her head covered with dust to testify, as she said, against pride. James Naylor gave himself out as the Messiah;[2] and a woman named Dorcas Ebery made oath before the judges that she had been dead two days and was raised again to life by this impostor.[3] Gilbert Latye, a man of property and education, going with Lord Oberry into the queen's private chapel, was moved to stand up on one of the side altars and inveigh against Popery to the astonished worshippers.[4] One Solomon Eccles went through the streets, naked above the waist, with a chafing dish of coals and burning brimstone on his head,—in which state he entered a Popish chapel and denounced the Lord's vengeance against idolators. William Sympson, says Fox, who never did these things himself, was moved to go at several times for three years, naked and barefooted, in markets, courts, towns and cities—to priests and great men's houses, as a sign that they should be stript naked even as he was stript naked. There seemed to be a general emulation as to who should outstrip the rest,—and many persons went about the streets of London in all the nudity of nature.[5] Most of the zealots however kept to the decencies of a sackcloth dress; and with their faces besmeared with grease and dirt they would parade about the parks and public places, calling to the people as they passed that in like manner would all their religions be besmeared. One fellow, who seemed to have had more of purpose in his madness than the others, went to Westminster with a drawn sword in his hand, and as the representatives came down to the House he thrust

[1] Thurloe, iii. 422.—vii. 287. Harl. Misc. vi. 435.

[2] Burton's Diary, i. 20 et seq. Parliament occupied eleven days in the investigation of this case. The wretched man was condemned to be pilloried, branded on the forehead, whipped in public, to have his tongue bored through with a red hot iron, and to be imprisoned in a solitary dungeon and fed with bread and water. Thurloe, v. 708. The House was as mad as the poor fanatic himself.

[3] Harl. Misc. 434. [4] Life of Latye, by himself, p. 54. [5] Fox, 572.

at and wounded several before he could be arrested. On being asked by the Speaker why he had done this, he replied that he had been inspired by the Holy Ghost to kill every man who sat in Parliament.[1] No wonder that the prisons were crowded with Quakers, as they were with enthusiasts and innovators of every other kind![2]

As it has now been seen, the grotesque follies to which some of the Children of Light gave themselves up in the delirium of their first call, were shared by the rest of the religious world: what was grand and genuine in their enthusiasm belonged to themselves. They succeeded, in spite of small vagaries, because they were in earnest. At a time when all ideas were unfixed,—when historical faith was discarded as a fiction,—when every ancient system of policy and philosophy, morals and religion, had lost its sanction,—and the world seemed drifting down the great gulf-stream of time, rudderless and anchorless, a prey to storm and wave, the wear of motion and the wrack of the elements,—these men began to preach a new, a positive and a simple doctrine. The thought they aimed to express was grand,—and it was complete. They believed it would be able to kindle a new life in the dying body of society,—to revivify and enlarge the sphere of all known truths,—and to develope germs out of which a fresh civilization might arise. These enthusiasts not only preached the doctrines of social and political equality; they aimed at the establishment of an universal religion.[3] Fox himself appealed to the highest and to the lowest. He wrote to admonish Innocent XI. and tried to convert the Lord Protector Cromwell. He preached to milkmaids and discussed points of theology with ploughmen. He invoked in thousands of the yeomanry of England a fervor of spirit almost equal to that which possessed himself.[4] He exhorted the ambassadors of the great powers, then assembled at Nimmeguen, to treat of peace,—and warned the citizens of Oldenburgh that the fire which had recently desolated their

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[1] Whitelocke, Jan. 3, 1654. [2] Thurloe, iii. 188, &c.

[3] Fox contended for the rights of servants before the magistrates. Journal, 17. His antipathy to the regular clergy arose in a great measure out of his belief that in all ages they have been leagued with governments to oppress the people. Ibid. 252.

[4] Lady Springett's MS. Speaking of these inspired ploughmen, the fair autobiographer says—"Their solid and weighty carriage struck a dread over me." This was in her days of scoffing.

city was a judgment from heaven against them on account of their iniquities.[1] In the excess of their zeal, delicate women went into the camps of Cromwell, mixed with the rough soldiers, and tried to win them over to the doctrines of peace and goodwill to man.[2] Innocent girls and unworldly men went forth in conscious and fearless innocence to bear the seeds of truth to every corner of the earth. Hester Biddle forced her way into the presence of the grand monarch at Versailles, and commanded him in the name of God to sheathe his destroying sword.[3] Others made their way to Jerusalem and to New England,—to Egypt, to China and to Japan.[4] One young woman of dauntless resolution carried the words of peace to the successor of Mohammed in his camp at Adrianople, who received her with the respect due to one professing to come in the name of God.[5] Another took a message to the Supreme Pontiff and his Cardinals at Rome.[6] Some were moved to go forth and convert the savages of the west and the negroes of the south; and one party set out in search of the unknown realms of Prester John. Everywhere these messengers bore the glad tidings they had themselves received; everywhere treating all men as equals and brothers; thee-ing and thou-ing high and low; protesting against all authority not springing from the light in the soul—against all powers, privileges and immunities founded on carnal history and tradition; and often at the peril of their lives refusing to lift the hat or to bend the knee—except to God.[7]

The public teaching of a doctrine like this was in itself a revolution. Cromwell clearly understood the nature of the movement; and tolerant as he was of religious sects, he would willingly have put it down. But even his mighty arm was paralysed. The Children of Light were also children of peace. They did what they believed to be right; and if their conduct pleased not the rulers of the earth they took the con-

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[1] Fox, 452.

[2] Thurloe, vi. 708. Colonels of regiments wrote to inform Cromwell that many of their officers and men had "begun to set their own humors above all Scriptures, ministers and magistracies." Ibid vi. 168. Of course they were expelled the army. vi. 241.

[3] Gerard Croese, 468.

[4] Fox, 248.

[5] Thurloe, vii. 32. Sewell's Hist. of Quakers, i. 333.

[6] Sewell i. 332.

[7] They were mobbed in the streets of Lisbon for irreverence. Thurloe, iii. 432.

sequences to themselves in silence. Sects like the Anabaptists, the Levellers and the Fifth-Monarchy men he knew how to cajole or coerce. Their plots and conspiracies he could meet on equal terms: as it suited his purpose, he could buy them with honors or crush them with the sword. But fear and favor were alike lost on the followers of Fox. They would neither obey his laws nor resist his troops. They opposed their silence to his severity. They were readier to endure than he was to inflict:—and he foresaw that their patience would tire out persecution.

Quakerism was a system of polity as well as a religion. It taught the equality of men in their political relations,—their common right to liberty of thought and action—to express opinions—to worship God—to concur in the enactment of general laws; but it found the sanctions of this equality, not in the usages of ancient nations, like the classic republicans—not in a mere convenient arrangement of checks and counter-checks of power, like more modern reformers; it found these sanctions lying far deeper, in the very nature of man, in that supremacy which it assigned to the divine light in each separate individual. Above all things this system was logical. It regarded every man's inward light,—reason, conscience or by whatever name it might be called—as his best and safest guide; the theory therefore of a perfect enfranchisement of mind and body, of thought and action, was the theological basis of the sect founded by George Fox. To a man who had once mastered and accepted a great idea like this, all minor matters—the refusal to doff the hat, to bend the knee, to receive or bestow titles of honor—followed of course. The Quaker was a perfect democrat, and men were all his peers.[2] He admitted no superior—and he could pay no homage. The distinctions of prince and people, laity and clergy were unknown to him: the light of God was the same in all. He felt that the deference paid to worldly rank was something more than a form. It involved the idea of a superiority which he denied; it was therefore a question of conscience not to comply with it. The people who bent the knee to prince or protector thereby confessed that in their

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[1] Cromwell is reported to have exclaimed—"Now I see there is a people risen that I cannot win either with gifts, honors, offices, or place: but all other sects and people I can!" Fox, 169.

[2] Barclay, 504, 541.

own thoughts they were not his equals. The act was not a ceremony but a sign of subjection. Having adopted views like these—is it wonderful that William Penn, in the fervor of youth and recent conversion, should have renounced his father's worldly dreams?

The young Quaker was not left in the streets to starve. He was gladly welcomed by the friends of his sect, and his mother secretly supplied him with money. But beyond this, his exile from home was extremely painful to him. His temper was open and unreserved; he was fond of home and the enjoyments of the domestic circle. On the other hand his consolations under this trial of his strength were great. The creed which he had embraced came home as the warm and living blood to his heart. In it his free spirit found room for unfettered action. The men who professed it, though given to an extravagance at times which he could not approve, were remarkable for the purity and simplicity of their lives. What they professed they practised. It was not so with the worldly men and women he had known in his father's circle. At the play-house, to which his mother and sister were so fond of going, he had seen virtue laughed at as ridiculous and female modesty put to the blush in public; the galleries of Whitehall, where the admiral thought it an honor to be seen, he knew were thronged by bravoes and harlots, and the royal palace itself a nest for every sin and abomination under heaven.[1] Look where he would upon that grand society from which he suffered this voluntary banishment,—he saw nothing but rottenness. Female chastity was a thing unknown,—justice was openly bought and sold,—the interests of the nation were bartered away to France for a miserable pension,—the peace of private and honorable families was invaded by wretches who boasted in public of the shame and ruin they had made.[2] A young man of pure thoughts and good impulses might well turn anchorite in such a world of vice. The politics of Quakerism had also their attractions. For five years he had pored over the classic dreams of Algernon Sidney; he had read Harington and More; and studied profoundly the history of the departed Commonwealth. He saw that it had brought with it peculiar evils; more than all, it had failed He wished to see the experiment of a democracy in action; but he

[1] Pepys' Diary and Grammont's Memoirs, every page. [2] Ibid.

felt that some new principle was wanting. At length he fell upon the principle he had sought. He found a true democracy that rested on a religious idea. Penn loved the great republican with more than a brother's love,—he respected and confided in his masculine judgment,—but he had never yet thoroughly given up his mind to that classical idea of a democracy, governed only by pride of soul and heroic virtue.[1] Now he had caught the missing link of the chain. No two men could be more unlike than George Fox and Algernon Sidney; but their common disciple saw the point of union,—with the one he could admire the republics of Pericles and Scipio, while he could deny with the other that historical precedent is superior to the laws of conscience.

After a few months' absence, Penn was allowed to return home. But the admiral's anger was not appeased; he refused to see or speak with the Quaker; and father and son continued to live under the same roof as strangers to each other. William now began to preach and to write in favor of his new tenets. His first book had for title—"Truth Exalted; in a short but sure testimony against all those religious faiths and worships that have been formed and followed in the darkness of apostacy,—and for that glorious Light which is now risen and shines forth in the life and doctrine of the despised Quakers, as the alone good way old of life and salvation."[2] This work was addressed to princes, priests and people, whom it called upon in the most energetic terms to re-examine the grounds of their belief in the divine economy of the universe, and to compare the ideas in which it rested with those now set forth to engage their attention. What he advised he also practised. Hat on head he went down to Whitehall, bearing the unbridled ridicule of the court, to seek an interview with the powerful Duke of Buckingham, upon whom he impressed the necessity of toleration for Dissenters,—pleading their right to better treatment than the stocks, stripes, pillories and prisons they were accustomed to meet with at the hands of men in power. He appealed to the old laws of England,—he quoted the Saxon customs and the charters of Norman kings,—he made out a case so convincing that the Duke pledged himself to bring a

[1] Penn to Sidney, Oct. 13, 1681, MS. Penn says in this letter that he has given to Sidney "more true friendship and steady kindness . . . than to any man living."

[2] Collected Works, i. 239.

bill into Parliament to do them justice. It is creditable to him that he kept his word, a disgrace to the Commons of England that they refused to discuss his proposition.[1]

The same year Penn made his second essay in controversy. John Clapham, in a work called "A Guide to True Religion," had treated the Quakers with harsh and unjustifiable severity: the young convert answered in "The Guide Mistaken," a tract written with considerable vigor, but in the coarse and personal style common to the greatest polemics of that age.[2] He soon had his days and nights occupied with controversy.

At this time there lived in Spitalfields one Thomas Vincent, a Presbyterian minister, who had a congregation meeting at a chapel in Spital Yard. Two of this man's hearers happening to go to the Quakers' meeting-house to hear what the Children of Light had to say for themselves, became converts; an incident which so enraged the pastor that he began to revile the Quakers from his pulpit, and to denounce their doctrines as worthy of damnation. These tirades becoming a subject of general conversation, Penn and George Whitehead, one of the sturdiest defenders of the new opinions, went to Vincent and demanded a public opportunity of hearing and replying to his attacks. At first he refused; but on being pressed, at length saw the necessity of meeting the challenge. He was allowed to name his own time as well as the place of discussion. He of course chose his own chapel. Such religious debates were very common at that time, and were among its most curious features.

When the disputants arrived, they found the room already full of Vincent's friends; and only the heads of the deputation could force their way in. Whitehead, as the senior, began to expound the views of his sect; but Vincent got up and observed, that the shortest way would be for him to propose questions, and for them to answer—as out of their own mouths he would condemn them. To this proposal the audience assented, and the defendants were obliged to submit. Vincent then asked them,—if they owned one Godhead subsisting in three distinct and separate persons? Penn and Whitehead

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[1] Penn's Fragments of an Apology for Himself. Penn. Hist. Soc. Mem. iii. second part, 238.

[2] Compare Milton's "Defence of the People of England." Works, i. 30. St. John's edition. Why does not this elegant writer and accomplished scholar write us a new life of Milton?

both asserted that the dogma as delivered by Vincent was not to be found in Scripture. The latter answered this by a syllogism. Quoting the words of St. John, he said—"There are three that bear record in heaven, the Father, the Word and the Holy Spirit—and these three are one." "These," he proceeded to argue, "are either three manifestations, three operations, three substances, or three somethings else beside subsistences.—But they are not three manifestations, three operations, three substances, nor any thing else beside three subsistences.—Hence there are three separate subsistences yet only one Deity." Whitehead rejected the term "subsistences" as not of Scriptural origin, and desired an explanation of its meaning. Several attempts were made to define the word; but Penn, who was deeply read in theology and metaphysics, started a plausible objection to each in turn, and caused it to be rejected. The subtlety of thought and dexterity in argument which he exhibited caused one of the audience to call him a *Jesuit*, a name which clung to him for the rest of his life. The sum of the answers given, was, that subsistence is either a person or the mode of a substance: whereupon Vincent was asked if in his opinion God was to be understood as separate from his substance? The pastor appealed to his flock, and they charitably ruled that he was not bound to answer that question. Whitehead pressed other questions, but the uproar increased then until no one could be heard. On this, Vincent fell to prayer, in the course of which he accused the Quakers of blasphemy; when he had finished he told the people to go home, and he himself left the pulpit. It was now midnight; the congregation began to leave; and the defendants felt that many would go away with a false impression. One of them therefore got up to speak, whereupon the friends of Vincent put out the candles. But in the dark, they went on; and many staying to listen, Vincent returned with a light to ask them to disperse, but they would not stir until he had consented to hold another meeting in the same place to end the discussion decently.[1]

This offer was a mere trick to get rid of the crowd. The second meeting not being called in due course, Penn considered it best to lay the matter before the public, in "The Sandy Foundation Shaken."—In this work, which the fash-

[1] Sewell, ii. 172-3.

ionable friends of his father read with astonishment and admiration, refusing to believe it to be the production of so young a man,[1]—he undertook to maintain the doctrine of a unity in the Divine nature from reason and Scripture; an undertaking which brought him into conflict with more formidable foes than Thomas Vincent, being no less personages than the Bishop of London and other high dignitaries of the Church. It was not to be expected that these great men would enter into a public discussion about the unity or plurality of the Divine nature. They had a far more powerful argument, as they thought, in their hands; and they applied to the civil power to have the dangerous polemic placed in confinement.[2] At their instigation a warrant was issued against him from the Secretary of State's office,—on hearing of which he gave himself into custody and was carried to the Tower.[3] An unscrupulous enemy at the same time made a bold but ineffectual attempt to ruin him forever, if not to bring him to the scaffold. A letter appears to have been picked up near the place where Penn surrendered himself,—no doubt it had been dropt there for the purpose,—which contained matter of so perilous a kind, that on the note being presented to Lord Arlington, the Secretary of State, that officer at once rode down to the Tower to examine the prisoner as to its contents.[4] This was not an uncommon trick of the time. Arlington soon satisfied himself that Penn was not a secret conspirator; and not only behaved towards him with great civility, but promised his interest in obtaining for him a speedy liberation.[5]

He remained in the Tower eight months and sixteen days.[6] Considering that his offence was not political—that no charge was preferred against him in a court of law—that he had not been put upon his defence—and that he stood unconvicted of any crime, his confinement was monstrously severe. He was kept in a solitary dungeon; his family was not allowed access to him; nor was he permitted to see any other friend in his prison save now and then his father.[7] The prelate evidently

[1] Pepys, "February 12, 1668-9. Got William Penn's book against the Trinity, and I find it so well writ, as I think it is too good for him to have writ it; it is a serious sort of book, and not fit for everybody to read."

[2] Apology, Penn. Hist. Soc. Mem. iii. second part, 239.

[3] Besse, i. 6. [4] Letter to Arlington. Penn's Work's, fol. i. p. 151.

[5] Ibid. [6] Apology in Penn. Hist. Soc. Mem. iii. second part, 239.

[7] Ibid.

wished to break his spirit; but he little knew the mettle of the youth, if he indulged in any such expectation. One day his servant brought him word that the Bishop of London had resolved he should either publicly recant, or die in prison. He only smiled at such a threat.—"They are mistaken in me: I value not their threats. I will weary out their malice. Neither great nor good things were ever attained without loss and hardship. The man that would reap and not labor, must perish in disappointment."[1]

In this spirit he prepared to endure whatever amount of suffering his powerful enemies might inflict. He took to the prisoner's usual solace; he began to write, and added one more glorious book to the literature of the Tower.[2] "No Cross, No Crown," still a favorite with the religious public, revealed in the young prisoner powers for the possession of which the world had not yet given him credit. Considering the shortness of time, and other untoward circumstances under which it was produced, the reader is struck with the grasp of thought—the power of reasoning—the lucid arrangement of subject—and the extent of research displayed. Had the style been more condensed, it would have been well entitled to claim a high place in literature. The book arose naturally out of the writer's position. He was suffering for his opinions: he was suffering at the hands of men who professed to be the servants of God. He wished to present clearly to his own mind, and to impress upon others, the great Christian doctrine, that every man must bear the cross who hopes to wear the crown.[3] To this end he reviewed the character of the age. He showed how corrupt was the laity, —how proud and self-willed were the priests. In a passage, pointed no doubt by personal feeling, he urges that wherever

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[1] Besse, i. 6.

[2] Many of the works written in the Tower are enumerated in the London Prisons, c. ii.

[3] Lady Springett gives a fair idea of the struggles of the worldly heart against the asceticism of Quaker doctrines. "I never had peace or quiet from a sore exercise in my mind, for many months, till I was by ye stroke of His judgment brought off all those things which I found ye Light to manifest deceit in—which things cost me many tears, and night watchings, and doleful days: not at all from that time ever disputing against the doctrine (nay, not so much as in my own mind), but exercised against ye taking up ye Cross; and [abandoning] ye language, fashions, customs, titles, honors, and esteem of ye world, and the place I stood outwardly in. My relations made it very hard." MS. Autobiography.

the clergy have been most in power and influence, confusion, wrangling, sequestrations, exiles, imprisonments, and bloodshed have most abounded:—in testimony of which he confidently appeals to the records of all time.[1] He spoke of the chief vices which were then eating out the heart of society; and proposed remedies. This part of the subject consists of eighteen copious chapters—each chapter a dissertation in itself. In one of them he gave his reasons for rejecting worldly honors and distinctions,—the point which was the sorest trial to his father, as the prospective Lord Weymouth, and in reference to which he said, "No Cross, No Crown," was a serious cross to him. The second part consists of a collection of the sayings of the heroes and sages of all nations in favor of the same doctrine—namely, that to do well and bear ill, is the only way to lasting happiness. This is the most marvellous part of the work. First, he quotes numerous sayings from eighty-seven celebrated pagans, all to his point; secondly, he cites various opinions from twenty-five of the Apostles and Fathers of the Church; and thirdly, he calls into court thirty-nine great personages, chiefly of modern times, to testify to the same effect.[2] This would have been no mean work for a veteran author to have accomplished in so short a time with the wealth of a great public library at his command. On being given to the world, the book produced an impression highly favorable to its writer; it went rapidly through several editions, and is still frequently reprinted.

The manliness of his conduct in prison won back to him no small share of his father's regard. The admiral could not but admire his constancy under privations which had shaken his own iron obduracy, or help feeling some indignation at his clerical oppressors. However much he might still disapprove of his principles, and detest what he called his delusions about equality and titles of honor, he could not stand aloof and see him perish in his youth. He visited and talked with him in his dungeon, and exerted his influence in the highest regions of the court to obtain for him an unconditional pardon; but the offence being one of a purely ecclesiastical nature, Charles, who had good reason to know himself suspected by

[1] It was passages like this which so endeared the writings of Penn to Voltaire and the Encyclopædists. Dict. Phil. article, *Quaker*.

[2] No Cross, No Crown, fol. i. 374, et seq.

the Church, was anxious not to give a cause of fresh offence by a direct interference. The House of Commons was in a bad humor; it had recently spited him by rejecting that measure of justice to Dissenters which he had solemnly promised in his manifesto of Breda.[1] However, to please the admiral, he sent his chaplain, the courtly and accomplished Stillingfleet, to talk the young man out of his errors, and to persuade him to make submission, and receive a pardon from the offended prelate.[2] The messenger performed his task with skill and kindness; but he failed in its object. "The Tower," said Penn to his visitor, "is to me the worst argument in the world." Stillingfleet avoided the point of conscience, and spoke of the brilliant prospects which he forfeited by his change of creed,—of the king's well-known favor to his family: it was to no purpose. Worldly hopes were as powerless as worldly fears.[3] "Tell my father, who I know will ask thee," said he one day to his servant, "that my prison shall be my grave before I will budge a jot:—for I owe my conscience to no mortal man." He was quite impracticable![4]

To Arlington he wrote a manly remonstrance against the treatment which he had met with from those in authority. He protests against the idea that in a proper state of political society, men are to be punished for differences of opinion in matters of religion; it ought, he says, to satisfy the most rabid sectarian that he can forbid his rival a share of heaven, without also banishing him the earth. The doctrine that because men may not agree as to the things which belong to another life, they are not to have liberty to eat, drink, sleep, walk, trade, think, and speak in this, he considers supremely ridiculous and dangerous. He maintains that the understanding can be appealed to only by reason—not by force: in his own case, he says, his enemies have discovered their mistake, and therefore dare not bring him to trial. He invokes his born rights as an Englishman to be put on his defence, so that if he must remain in prison, the world may know on what grounds. He concludes—"I make no apology for my letter as a trouble (the usual style of supplicants), be-

[1] Com. Journ. April 28, 1688. Parl. Hist. iv. 413 et seq.
[2] Apology, Penn. Hist. Soc. Mem. iii. second part, 239.
[3] Apology, Penn. Hist. Soc. Mem. iii. second part, 239.
[4] Besse, i. 6.

cause I think the honor that will accrue to thee by being just and releasing the oppressed, exceeds the advantage that can succeed to me."[1] While this letter, and the reports of Stillingfleet, were operating a change in his favor at Whitehall, he continued to solace himself with writing.[2] Several answers to his "Sandy Foundation Shaken" had appeared, in some of which his views were much misrepresented:—to these he now replied in a brief and vigorous pamphlet, which he entitled, "Innocency with her Open Face."[3] This work increased the public interest in his fate, and probably helped to procure his liberation from the Tower.[4] It is certain that within a few days of its publication, an order was sent down to Sir John Robinson, the lieutenant, to set him at liberty; but this act of grace was also connected with public events and court intrigues.

The period was one of extraordinary trouble to the Penn family. While his son was languishing in the Tower, a powerful combination in the House of Commons threatened to bring about the admiral's ruin. Up to the close of July, 1667, when the treaty of Breda put an end to hostilities, the war with Holland had continued to rage with more or less violence, and with varying fortunes, after the great victory of 1665; great damage being done to trade, although no peace was conquered, nor any political advantage gained. As soon as Admiral Penn ceased to command at sea, reverses came; and for nearly two years the war had been disastrous and dishonorable to the arms of England. More than once a Dutch fleet had ventured to appear in the Thames, as if to remind the country that the men of the Commonwealth were out of public employments.[5] Monk and Rupert, men whose peculiar services, or family connexions, gave them an unfortunate influence over the royal councils, had proved themselves incompetent to contend against the nautical genius of the Dutch admirals; but in proportion to their want of skill and knowledge was their passion for high naval commands. Towards the old seamen of the Commonwealth the envy and hatred of these officers were unappeasable. Ascue and Lawton felt the blighting effects of their jealousy; but the heaviest weight of it fell on Admiral Penn. Monk, it is true, was

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[1] Coll. Works, i. 154.
[2] Apology, Penn. Hist. Soc. Mem. iii. 2d part, 239. [3] Works, ii. 266.
[4] Such is the opinion of Besse, i. 6. [5] Evelyn, July 27, 1667.

past the time for very active service; but Rupert was hot-brained and ambitious, and anxious at any price to keep his old enemy and present rival at home, attending to the pacific duties of the Navy Board, while he gratified his own avarice and lust of power by an uncontrolled command at sea. But what was the king to do? Taught by bitter experience—for the Hollanders had burnt Chatham the year before,[1]—that the fleet was in a deplorable condition, the royal brothers were anxious to avail themselves of the first moments of tranquillity to make some reforms, with a view to restore that confidence to the service which had been so terribly shaken by the late disasters. This work could only be effected by an admiral of tact and experience,—by one who joined the reputation of a strict disciplinarian with the prestige of victory: and the king at last agreed with the Duke of York that the only seaman in his dominions equal to such a task was Admiral Penn.[2]

This choice was peculiarly annoying to his two rivals. The admiral had not sought the honors of command: its duties were forced on him by the stern necessities of the time.[3] There had been enough of landsmen blunders and misfortunes. A seaman was wanted; and the humors of a prince, even of the blood-royal, were not to be indulged at the expense of another conflagration of the dock-yards. Rupert, of course, was mortified; and both he and Albemarle vented their anger and disappointment aloud.[4] In his usual boastful and domineering way, Monk had taken an oath that Admiral Penn should never go to sea again; and he now felt bound to make good his foolish vow. With Rupert he got up a plot to keep him at home. The conspirators began by secretly trying to undermine his reputation; they spoke of his abilities and services in slighting terms; insinuated what they dared not boldly assert, and allowed their creatures to defame their brother officer without rebuke. One day, when the newly-appointed commander called at Albemarle's house,

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[1] Albemarle's Report, presented to the House of Commons, Feb. 10, 1668. The Duke was unquestionably to blame; but his political influence preserved him from censure. The poets of the period were more impartial in their verdicts. See Sir John Denham's "Directions to a Painter," and Andrew Marvel's "Last Instructions to a Painter."

[2] The Duke of York never doubted the naval genius of Cromwell's captains. Clarendon's Autobiography, ii. 354.

[3] Pepys, February 20, 1668.

[4] Ibid, February 24.

to make some inquiries, the duchess, a low-bred woman, the daughter of a blacksmith, and for some time mistress to the man who afterwards married and raised her to the highest rank of a subject—came into the room, and forgetting the respect due to her own house, shouted at him, in the tone of the camp,—"How dare you have the confidence to offer to go to sea again, to the endangering of the nation, when you know you are such a coward?"[1] But such paltry malice was of no avail against the fixed resolution of the royal brothers, to have the conqueror of Van Tromp again at the head of their fleets; and the two conspirators were obliged to adopt a new and bolder course of action. Monk had at this time an almost unbounded influence in the House of Commons, acquired by the leading part he had played in the restoration of the Cavaliers to their families and estates; and this influence he now resolved to strain to the uttermost, to effect his own and the prince's purpose. It was pretty evident to the conspirators that no serious crime could be maintained against Penn; but this was of little consequence: if they could only get the House to entertain some trumpery charge, which would place him under accusation, and oblige him to prepare a defence, their end would be answered. A person under impeachment by Parliament, could not be sent out to sea in command of the King's fleet; their creatures in the House could avail themselves of every pretext to delay the inquiry, until it became too late to finish it before the summer; and in the meantime, another commander must necessarily be appointed to fill the vacant post. This was the game of Monk and Rupert: it was a game worthy of the players, and they played it well.[2]

The foes of Penn calculated their forces. They were aware that the party of ultra-cavaliers had never been well affected to him;—for his glory and reputation belonged essentially to the time of the Commonwealth; and to add to their dislike, his son and heir had given mortal offence by joining the Quakers and writing against the doctrines of the Church. They were certain of the churchmen and cavaliers going with them in their attempt. Against this threatening combination the admiral could only array his services and the royal confidence in his abilities.

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[1] Ibid. February 29. [2] Pepys, March 27; April 28.

In their designs against Penn, Rupert and Monk found a worthy tool in Sir Robert Howard, a man described by Evelyn as an insufferable boaster and a universal pretender; this writer of bad plays[1] lent himself willingly to perform the chief character in the coming farce.—On the 26th of March several motions were made in the House about naval matters,—"Only," as Pepys says, "to give affront to Sir W. Penn, whose going to sea this year doth give them matter of great dislike."[2] The House agreed to revive a "Committee on Miscarriages," which had done its work and dissolved, to make a pretence of inquiries, and so prevent the commander, who was then out of town, from going on board.[3] In the resentment of the moment, the Duke of York declared, that although they might prevent Penn going out, Prince Rupert should not profit by the trick they were playing; rather than suffer such an outrage to find a reward, he would go on board himself.[4] But this threat was much easier to make than to fulfil; and three days later it was settled that Rupert should have the command.[5]

Having gained their point, the zeal of the conspirators waxed fainter, and their friends in the House obviously began to cool.[6] The proposal to arrest the accused was negatived; but having committed themselves so far, the members were obliged to go on with it, and Sir Robert Howard was charged with the conduct of the impeachment before the House of Lords.[7]

The Lords refused to commit the admiral on the charge sent up from the Lower House: instead of this they sent for him;[8]—"To Westminster Hall," says Pepys, "and saw Sir W. Penn go into the House of Lords, where his impeachment

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[1] "The Committee"—"The Indian Queen"—"The Surprisal," &c. He was the *Bilboa* in Buckingham's first draft of "The Rehearsal," afterwards altered to *Bayes*, for Dryden.

[2] Pepys' Diary, March 26, 1668. [3] Ibid. March 29 and 30

[4] Ibid. March 30. Pepys, with his usual acuteness, saw at once the imprudence of the Duke's taking this last step—"but I think it mighty hot counsel for the Duke of York, at this time, to go out of the way."

[5] Pepys. "April 3. This day I hear that Prince Rupert and Holmes do go to sea; and by this there is a seeming friendship and peace among our great seamen; but the devil a bit is there any love among them, or can be."

[6] Ibid. April 16.

[7] Reports of the proceedings in the Commons were taken down at the time, by Awchetill Grey, member for Derby. Grey's Debates, i. p. 133 et seq.

[8] Journals of the House of Lords, April 24th to 27th, and 29.

was read to him and he used mighty civilly, the Duke of York being there; and two days hence, at his desire, he is to bring in his answer."[1] On the day appointed he brought in his reply to the charges exhibed against him, which reply was at once accepted and transmitted to the lower House;[2] but in spite of the Admiral's urgent requests, that complaisant body refused to consider the documents until it was too late to be settled in that session.[3] On the fourth of May a moment's leisure was found to refer the answer back to the impeachment committee, with orders for it to consider the articles and draw up a replication on the entire charge to be forwarded to the Lords. There the matter ended. The House rose without settling the question it had raised. The conspirators had gained their point,—Rupert was at sea,—and all the world soon became aware of the game they had played and won.[4]

Thus months passed away, during which time William Penn wrote and preached in behalf of his faith and was finally committed to the Tower, and his father was only preserved from the same doleful lodging by the firmness and independence of the House of Peers. In society the rancor of party found ample food in these intrigues. The King and Duke of York being for the admiral, all those who for personal ends were for the moment in opposition were of course against him. The people were misled by false reports of the fortune he had made,—and for a few weeks a good deal of odium attached to the family. To add to all these troubles, the seaman's health was beginning to fail. His wear and wreck of life had been great, and his constitution was completely undermined. For months he had now been seriously unwell; partly from attack of gout, partly from a general breaking up of the system.[5] The fortunes of his house looked unusually

[1] Pepys, April 27.

[2] Journal of the Lords, April 29, 1668. I have not thought it necessary to enter into the nature of the charges against Penn's father in the text; they are carefully collected in Granville Penn's Memoirs, ii. p. 465 et seq.

[3] A piece of meanness like this in the representatives of a great nation seems almost incredible; but the motive was well known. "To Whitehall," says Pepys, "and there do hear how Sir W. Penn hath delivered in his answer; the Lords have sent it down to the Commons, but they have not yet read it, nor taken notice of it, so, as I believe, they will by design defer it till they rise, and so he, by laying under an impeachment, may be prevented in his going to sea, which will vex him, and trouble the Duke of York." April 29.

[4] See the proceedings reported at length in Howell's State Trials, Vol. vi. p. 878.

[5] Pepys' Diary, May 27; August 9.

dark and louring. But after a few months of evil fortune, the prospect began to brighten. The charges which had been made against him in the House of Commons fell to the ground; public opinion came round in his favor; he stood again before the world without a spot on his reputation; while Sir Robert Howard, the tool of his powerful enemies, had become a laughing stock, not only to the wits of the court, but to the common citizens of London.[1] After an absence, caused by sickness, of some months' duration, Sir William was able once more to leave his house and go down to the navy office. His interest was now exerted in behalf of his son,—and the Duke of York spoke to his royal brother on the subject; when, possibly at the admiral's desire, Stillingfleet was sent down to the Tower by the princes to converse with and re-convert the Non-conformer. How he failed in his mission has been seen: there remained no other course open but to set the impracticable youth at liberty without conditions: and at the request of the Duke of York this was immediately done.[2]

The change in his son's views, and the loss of dignity to the family arising from his resolution not to accept the title with which the King proposed to reward his own services, were a cause of ceaseless trouble and vexation to the admiral. He had no hope now that the whim would pass away: but while he confessed to himself the hopelessness of continuing the struggle of parental authority against conscience to any useful issue, he fancied it due to himself and to his office not to make or as yet to receive any advances towards a reconciliation. Still, though he would not place himself in friendly relations with his son, he no longer objected to Lady Penn seeing him as often as she pleased; and through her a sort of verbal correspondence took place, which ended in William accepting a proposal to go over to Ireland in execution of some particular trusts confided to his care, and generally to

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[1] Sir Robert Howard had missed the shaft of Buckingham's wit, only to be transfixed by that of Shadwell; he and his mistress were held up to public ridicule as *Sir Positive At-All* and *Lady Vaine*, in the comedy of the Sullen Lovers. "Lord! to see how this play of Sir Positive At-All, in abuse of Sir Robert Howard, do take! All the duke's, and everybody's talk being of that, and telling more stories of him of the like nature, that it is now the town and country talk." Pepys, May 8, 1668.

[2] Penn to Popple, Oct. 24, 1688.

take on himself the management of the family estates in that country.[1]

About the middle of September 1669, he quitted London, and visiting his friends and relatives at Bristol on the way, arrived at Shangarry Castle at the end of the following month.[2] As soon as he commenced his westward journey, his father began to write to him directly. The letters were chiefly details of business,—but the correspondence opened with a passage in these words—"If you are ordained to be another cross to me, God's will be done: and I shall arm myself the best I can against it."[3] His health was now fast failing: and, with a consciously wistful looking back on his old dreams, he was growing daily into a spirit more subdued and reconciled.

From this time to the middle of the year 1670, more than eight months, William remained in Ireland, chiefly employed in attending to the affairs of the Shangarry property.[4] But he was not lukewarm in the cause with which he had now identified himself. The very day of his arrival in Cork, he went to the prison where those of his sect were confined, to talk with and console them. Next day he held a meeting in the prison, where he exhorted them to be steadfast in their opposition to the unjust exercise of power by the magistracy.[5] Nor did he fairly settle down to the business which had brought him into Ireland, until he had made a journey back to Dublin to attend a meeting of Friends; when an account of the suffering to which Quakers had been exposed in various parts of the vice-royalty, was drawn up and carried by him to his friend the Duke of Ormonde.[6] Nor did his zeal content itself with this intervention: he applied to all his old friends at the vice-regal court, Sir George Lane, the Lord Arran, and others, to engage them in his cause. His solicitations were renewed from time to time, until he forced them to institute an inquiry into the alleged wrongs of the various persons who had been cast into prison for conscience' sake,—the result of which was, that an order in council was passed on the 4th of June, 1670, for their release.[7]

But the larger portion of his time during these eight

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[1] Apology, Penn. Hist. Soc. Mem. iii. second part, 240. [2] Besse, i. 2.
[3] MS. letter, Oct. 6, 1669. [4] Granville Penn, ii. 560. [5] Besse, i. 6.
[6] Apology, Penn Hist. Soc. Mem. iii. second part, 240. [7] Besse, i. 7.

months' residence in Ireland was devoted to the execution of the trusts confided to him by his father. A voluminous correspondence was kept up between Wanstead and Shangarry Castle, but it is chiefly concerned with details of management.[1] Finding that his health was fast breaking up, the admiral retired from the Navy Board—to the great regret of the King and the Duke of York, who had no man equal in tact and knowledge to fill his place[2]—and lived quietly at his country seat in Essex. At this period the admiral was anxious to transfer his property to England,—and measures to that end were among the principal topics of the correspondence between father and son. The unsettled state of the country made him desirous of selling his estate at Shangarry Castle; but a purchaser not being easy to find, he requested William to inquire if any of the tenants were disposed to purchase the lands they rented. In the meantime his son-in-law, Anthony Lowther, was looking out for an eligible property in Yorkshire for the Penns to buy; and in April wrote from his seat at Maske to say that he had found a property within twenty miles of his own place, that would exactly suit them: but it was now getting too late. Two days after this letter is dated, there is among the admiral's papers a note to his son, in which he says—"I wish you had well done all your business there, for I find myself to decline." Though cold in its expression, this note clearly hinted the admiral's wish to see his son again. His anger was wearied out, and on the edge of the grave the great objects for which he was prematurely to give up his life began to appear of only minor consequence. He had ceased to think of his son's unworldly creed as a whimsy. His constancy had stood the severest tests unshaken—exile from home and privation abroad—the influence of time and the horrors of the Tower. A fancy which could inspire such resolution was in his eyes at least respectable.

As soon as he could arrange the great variety of affairs, personal and magisterial, which he had in hand, William Penn quitted Ireland. When he appeared at Wanstead, his father and mother were alone. Margaret was with her husband at Maske, in Yorkshire; Richard was travelling in Italy. Sir William's health was failing more and more: for four or five

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[1] Granville Penn, ii. 560.

[2] Pepys, Dec. 21, 1668; May 3, 1669.

months he had not been able to leave the house; and they were consequently living in the greatest retirement. Such a condition of domestic affairs was highly favorable to the common desire for a reconciliation,—and as soon as the young man arrived, it took place, to the great happiness of all parties concerned.[1]

CHAPTER III.

1670.

TRIAL BY JURY.

THE happiness of the Penn family was soon disturbed by new persecutions of the sect with which William had connected himself.[2] The great question agitating the country at this time was that of Liberty of Conscience—with its consequence, Free Worship. The Church of England was alarmed. The Duke of York, the presumptive heir to the throne, was an avowed Catholic. The King himself was suspected of a leaning towards the ritual followed by his wife, his brother, his brother's wife, and his own favorite mistress. Some of the courtiers had recently apostatised; and many others were suspected of only waiting a more favorable moment to declare themselves converts to the creed which alone found active sympathy at Whitehall. But, if Popery threatened from above, Puritanism was no less formidable below. The country was known to swarm with the disbanded soldiers of Cromwell —men as hostile to the establishment as to the monarchy. Sects were daily multiplying in number. And now in the midst of all these causes of dismay, the power with which Parliament had armed the Church in its own defence, six years before, was about to expire. This power was given

[1] Granville Penn (Memoirs ii. p. 572), was of opinion that the quarrel of Admiral Penn with his son was never serious; he rejects the idea of his having "turned him out of doors." But William Penn's own words, are too express for me to allow the slightest weight to such an opinion.—"The bitter usage I underwent when I returned to my father—whipping, beating, and turning out of doors." Travels in Holland and Germany, i. 92.

[2] Penn to his father, Sept. 5, 1670.

(May 16th, 1664) by the Conventicle Act—granted as an experiment for three years, and afterwards renewed for a second term,—which act declared it seditious and unlawful for more than five persons, exclusive of the family, to meet together for religious worship according to any other than the national ritual; and every person above the age of sixteen attending meetings of the character described was liable, for the first offence, to be fined five pounds or imprisoned during three months; for the second offence, to be fined ten pounds or imprisoned six months; for the third offence, to be fined a hundred pounds or transported beyond the seas for seven years; and for every additional offence, an additional hundred pounds fine was inflicted. This monstrous enactment had fallen with the heaviest weight on Quakers. Other denominations of Dissenters, finding their excuses in the spirit which prevailed against their doctrines, evaded these penalties either by a pretended conformity or by secret adherence to their own rules. The followers of George Fox alone braved the law openly,—continuing to worship in public as before,—and submitting to the fines, degradations, and imprisonments which the law awarded; resolved to tire out persecution by the patient spirit in which they endured affliction for conscience' sake.

And now this bill was about to expire by efflux of time. Ought it to be renewed—and, if so, in what shape? These were the questions of the day. The Duke of York, anxious for the toleration of his own sect, wished to see the bill sink into oblivion. The ministry, desirous, as they pretended, of checking the growth of Popery and Socinianism, seemed willing to include all Dissenters within the pale of the law. Wilkins, Tillotson, Stillingfleet, and Bruton were consulted on the part of the Church; Baxter, Bates, and Manton on the part of the Nonconformists. But the Church itself would not agree to the proposal of the ministry. Men of extreme opinions, like Parker and Patrick, vehemently opposed every measure which savored concession; while others of more moderate views, like Owen and Andrew Marvel, contended for a union of all shades of Anglican theology against the common enemy entrenched in Whitehall.

Could the members of the House of Commons have been made aware of what was passing at that time between his most Catholic Majesty Louis XIV. and their own sovereign,

they would probably have paused in their career of vindictive legislation against Dissenters. Charles had already declared himself a Catholic to the confidential servants of Louis. A few days after the discussion in Parliament, the King of England bound himself by the secret treaty of Dover to make public profession of Popery; to send over his fleets and armies to destroy and deliver over to France, Protestant Holland; to maintain by sea and land the claims of the Bourbons to the crown of Spain and the dominions of the New World![1] in return for these services Louis stipulated to grant the spendthrift King a large subsidy and to send over an army to crush out the last remnants of the national fredom, if the people should presume to resist. This treaty was signed in May, 1670; the Conventicle Act was renewed in April. Far-seeing men, of moderate conservative views, began to look forward with despair.[2]

William Penn soon became a victim of this enactment. The Quakers, as usual, taking no notice of the attempt of Parliament to interfere with their modes of worship, went on the 14th of August to their meeting-house in Gracechurch street. They found it closed—and the doors guarded by a company of soldiers.[3] Unable to enter the building, the members loitered about until there was a considerable crowd, when William Penn took off his hat and began to address them. Seeing this movement, the constables came forward and arrested him, together with Captain William Mead, an old soldier of the Commonwealth and now a draper in the City.[4] Penn demanded to be shown their authority for this act, and the officers at once produced a warrant prepared beforehand, and signed by the Lord Mayor, Sir Samuel Starling. The whole of the little drama had been previously arranged by the civic powers; and Penn and Mead were instantly taken from the place of meeting to undergo examination.[5] Knowing that

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[1] Secret Treaty. Note B. in Lingard, xii. 354, where it was first published.

[2] "Met Mr. Evelyn, and talked of several things; but particularly of the times; and he tells me that wise men do prepare to remove abroad what they have, for that we must be ruined; our case being past relief, the kingdom being so much in debt, and the King minding nothing but his lust, going two days a week to see my Lady Castlemaine." Pepys' Diary, August 8, 1667.

[3] It was quite common for soldiers to invade meeting-houses. Life of Latye, 59.

[4] Penn to his father, Aug. 15, 1670. Philadelphia Friend, vi. 170.

[5] The People's Ancient and Just Liberties Asserted, fol. vol. i. p. 7.

Admiral Penn was on his death-bed, the petty officers of the city gave a loose rein to their native insolence. When the prisoner refused to doff his hat, the Lord Mayor threatened to carry him to Bridewell and have him well whipped—though he *was* the son of a Commonwealth admiral! On being reminded that the law was against such a course of proceeding, he ordered them to be sent to the Black Dog, a wretched sponging-house in Newgate Market, to await their trial at the Old Baily.[1] From this place of durance he wrote to his father in the most affectionate terms; and, while glorying in his sufferings for a great principle, expressed his deep regret at being dragged away from home at such a time.[2]

On the 1st of September, 1670, the two prisoners were placed in the dock to answer the charges brought against them. Every thing considered, the character of the men, the interests at issue, the course of the proceedings, and the final results—this is perhaps the most important trial that ever took place in England. Penn stood before his judges in this celebrated scene, not so much as a Quaker pleading for the rights of conscience—as the Englishman contending for the ancient and imprescriptible liberties of his race.[3] The special law on which he was arraigned, he knew very well that he had violated and intended again and again to violate. His religious friends took the same view of the case: they acknowledged the Conventicle Act to be in force according to the mere forms of jurisprudence; but they contended that it was in direct contradiction to the divine laws, and therefore not binding. Better versed in his country's history, Penn disputed its legality. He held it to be in equal hostility to the Bible and the Great Charter. This therefore was the point to be brought to an issue—Does an edict possess the virtue and force of law, even when passed by Crown and Parliament, which abolishes any one of the fundamental rights secured to the nation by the ancient constitution? A most important point in itself; and dear to England were the interests which hung on the result. Penn foresaw how the constitutional question would arise; and that the trial might be rendered a means of helping to secure the civil liberties of

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[1] Penn to his father, Aug. 15, [2] Penn to his father, Aug. 15.

[3] Penn held the fundamental laws, those of the old charters, to be unalterable—completely out of the power of the Estates of the realm to change. See his "England's Present Interest Considered," fol. i. 674, 5.

the nation—now seriously menaced by a treacherous and despotic court, supported by a bench equally corrupt and servile,—even if, as he expected, it should fail in establishing the claims of conscience. Thus he reasoned with himself: If, as on ordinary occasions we should feel bound to do, we now plead guilty, by our punishment this wicked act will acquire an additional force: but if we deny our guilt, as we may with good conscience, and throw the burden of proof on the court, we shall show to all the world the evil animus of our persecutors; and we shall also be able to raise the question, whether this law be in harmony with the Great Charter. If the court cannot show that it is—will a jury of Englishmen, fairly appealed to, convict? Should a precedent be set of juries refusing to convict under a bad law, the arm of tyranny would be at once paralysed.[1] Yes: they would adopt the course suggested by this train of thought. They would take their stand on the old rights—make their appeal to the old charters of the nation.[2]

The justices who occupied the bench were ten in number: Sir Samuel Starling, Lord Mayor; Alderman Sir Thomas Bludworth, Alderman Sir William Peak, Alderman Sir Richard Ford, Sir John Robinson, Lieutenant of the Tower, and Alderman Sir John Sheldon; Sir John Howel, the Recorder; and the sheriffs, Richard Brown, Sir John Smith, and Sir Samuel Edwards. The clerk of the Court ordered the crier to call over the jury as follows—and no twelve citizens of London have better deserved to have their names held in admiring remembrance: Thomas Veer, Edward Bushel, John Hammond, Charles Milson, Gregory Walklet, John Brightman, William Plumstead, Henry Henley, James

[1] Penn was a staunch asserter of the right—then contested, now admitted—of the juror to judge of both law and fact. "Truth Rescued From Imposture," fol. i. 500.

[2] The fundamental rights which Penn held to be *peculiar* to Englishmen, were the four following: (1.) Security of property; (2.) Liberty of person; (3.) The right of assisting to make every law by which that security of property, or that liberty of person may be affected; (4.) A real share, by means of the jury, in the actual administration of the civil law. "England's Present Interest Considered," fol. i. 675. Relying on the authority of Coke, Penn fully believed that all these rights had come down from the Saxon period. Modern scholars have disputed the claim of the Saxons to the honor of being the founders of the jury system. The point is exceedingly knotty; but I incline strongly to the old opinion, and shall take my chance of going wrong on a point of legal history with Coke and Spelman, Blackstone and Turner in company.

Damask, Henry Michel, William Lever, and John Baily. These good men and true, answered to their names, and were sworn to try the prisoners at the bar, and find according to the evidence adduced.[1] The indictment was then read aloud:

"That William Penn, gentleman, and William Mead, late of London, linen draper, with divers others persons, to the jury unknown, to the number of three hundred, the 15th day of August, in the twenty-second year of the King, about eleven of the clock in the forenoon of the same day, with force and arms, &c., in the parish of St. Bennet Gracechurch, in Bridge Ward, London, in the street called Gracechurch Street, unlawfully and tumultously did assemble and congregate themselves together, to the disturbance of the peace of the said lord the King: And the aforesaid William Penn and William Mead, together with other persons, to the jury aforesaid unknown, then and there assembled and congregated together; the aforesaid William Penn, by agreement between him and William Mead, before made, and by abetment of the aforesaid William Mead, then and there in the open street, did take upon himself to preach and speak, and then and there did preach and speak unto the aforesaid William Mead, and other persons there in the street aforesaid, being assembled and congregated together, by reason whereof a great concourse and tumult of people in the street aforesaid, then and there, a long time did remain and continue, in contempt of the said lord the King, and his law; to the great disturbance of his peace, to the great terror and disturbance of many of his liege people and subjects, to the ill-example of all others in the like case offenders, and against the peace of the said lord the King, his crown, and dignity."

This was the form and matter of this celebrated indictment: the one was worthy of the other. As a question of law the only verdict that could be given, with common decency, must have been an acquittal. In order to be safe, the fanatical lord mayor had overshot his mark. Let the terms of the charge engage a moment's attention. To begin, the date is wrong: the meeting took place on the 14th, not on the 15th. It asserted that the persons met together, were in arms: of this no proofs were offered. It affirmed that Penn and Mead had agreed beforehand: no evidence in support

[1] The People's Ancient And Just Liberties Asserted, fol. i. 9.

was given. It charged Mead with abetting Penn: the witnesses could prove only that Mead wished to get near Penn, but was unable. There were other contradictions, absurdities, and assertions, for which no proofs could be adduced; but these are enough to show the character of the persecution.

The Clerk of the Court then said aloud—"What say you, William Penn and William Mead, are you guilty as you stand indicted, in manner and form as aforesaid, or not guilty?"

Penn: It is impossible that we should be able to remember the indictment verbatim, and therefore we desire a copy of it, as is customary on the like occasions.

The Recorder: You must first plead to the indictment before you can have a copy of it.

Penn: I am unacquainted with the formality of the law, and therefore before I shall answer, I request two things of the court:—first, that no advantage be taken against me, nor I be deprived of any benefit which I might otherwise have received; secondly, that you will promise me a fair hearing, and liberty of making my defence.

Court: No advantage shall be taken against you: you shall have liberty, you shall be heard.

Penn: Then I plead—not guilty, in matter and form.

The same questions being put to Mead, and the same answers returned, full liberty of defence was given, and he pleaded—not guilty. The court then adjourned until three o'clock.

On resuming its functions, the court commanded the prisoners to be brought forward; they were placed at the bar, but to add insult to cruelty, were set aside while several cases of common felony were tried and disposed of. Having sat five hours, the court rose and adjourned for two days. Meantime the Quakers were sent back to their filthy dungeons in Newgate.[1] These pitiful tricks are all worthy of remark.

On the third of September, the court sat again. The prisoners would have come in with their hats on, but were prevented by the officers stationed at the door. As this was being done, the lord mayor—a character common enough in all unquiet times, a man who, always siding with the strongest party, had been a violent persecutor of the Cavaliers under

[1] The People's Ancient and Just Liberties Asserted, fol. i. 10.

Cromwell,[1] and was now anxious to show his zeal for the cause of the restored powers in Church and State—shouted from the bench—"Sirrah! who bid you put off their hats? Put them on again." Whereupon the officer did as he was told—the prisoners offering no resistance to the wish of his lordship.[2] When they were placed at the bar thus covered, the dialogue begun:

The Recorder: Do you know where you are?

Penn: Yes.

Recorder: Do you know this is the King's court?

Penn: I know it to be a court, and I suppose it to be the King's court.

Recorder: Do you know there is respect due to the court?

Penn: Yes.

Recorder: Why do you not pay it then?

Penn: I do so.

Recorder: Why do you not put off your hat, then?

Penn: Because I do not believe that to be any respect.

Recorder: Well; the court sets forty marks a-piece on your heads as a fine for contempt of court.

Penn: I desire it may be observed that we came into Court with our hats off—that is, taken off—and if they have been put on since, it was by order of the Bench; and therefore not we, but the Bench should be fined.

Here, the jury being again sworn, Sir John Robinson, suspecting that Edward Bushel, one of the jury, known to be a religious man, had an objection to take frequent oaths, pretended not to have seen him kiss the book, and desired him to be again sworn.[3] The first witness was then called:[4]

James Cook: I was sent for from the Exchange to go and disperse a meeting in Gracechurch Street, where I saw Mr. Penn speaking to the people, but I could not hear what was said on account of the noise. I endeavored to make way to take him, but I could not get near him for the crowd of people; upon which Captain Mead came to me about the kennel of the street and desired me to let him go on, for when he had done he would bring Mr. Penn to me.

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[1] Postscript to Truth Rescued, fol. i. 520.
[2] The People's Ancient and Just Liberties Asserted, i. 10.
[3] Truth Rescued, fol. i. 504.
[4] The People's Ancient and Just Liberties Asserted, i. 11.
[5] The People's Ancient and Just Liberties Aserted, fol. i. 11.

Court: What number do you think there might be there?

Cook: About three or four hundred people.

The second witness for the prosecution was now called and sworn.

Court: What do you know concerning the prisoners at the bar?

Richard Read: My lord, I went to Gracechurch Street, where I found a great crowd of people, and I heard Mr. Penn preach to them, and I saw Captain Mead speaking to Lieutenant Cook, but what he said I could not tell.

Mead: What did William Penn say?

Read: There was such a great noise I could not tell what he said.

Mead: Observe this evidence; he saith, he heard him preach; and yet saith, he doth not know what he said.—Take notice (to the jury), he means now a clean contrary thing to what he swore before the Mayor when we were committed. I appeal to the Mayor himself if this be not true.

Sir Samuel refused to give an answer, yea or nay.

Examination resumed:

Court: What number do you think there might be there?

Read: About four or five hundred.

Penn: I desire to know of the witness what day it was?

Read: The 14th of August.

Penn: Did he speak to me, or let me know he was there? For I am very sure I never saw him.—The Court would not put the question.

Another witness was called: his name not given.

Unknown witness: My lord, I saw a great number of people, and Mr. Penn I suppose was speaking, for I saw him make a motion with his hands and heard some noise, but could not understand what was said. But for Captain Mead, I did not see him there.

Recorder: What say you, Mr. Mead, were you there?

Mead: It is a maxim in your own law—*Nemo tenetur accusare seipsum*—which, if it be not true Latin, I am sure it is true English—No man is bound to accuse himself. And why dost thou offer to ensnare me with such a question? Is this like unto a judge, that ought to be counsel for prisoner at the bar?

Recorder: Hold your tongue, sir. I did not go about to ensnare you.

This was the case for the prosecution! Not a single point was proved: not even the preaching or the assembly for public worship. Was ever such another case sent to a jury? On the last remark of Mr. Recorder Howel's, there ensued considerable hubbub in court: the chief prisoner at length brought them to a sense of their duty.[1]

Penn: I desire we may come more close to the point, and that silence be commanded.—The crier having shouted the usual call, Penn proceeded: We confess onrselves so far from recanting or declining to vindicate the assembling of ourselves to preach, to pray or worship God, that we declare to all the world, we believe it to be our indispensable duty to meet incessantly on so good an account; nor shall all the powers on earth be able to prevent us.

Sheriff Brown: You are not here for worshipping God, but for breaking the laws.

Penn: I affirm I have broken no law; nor am I guilty of the indictment that is laid to my charge; and to the end that the Bench, the jury, myself, and those who hear us may have a more direct understanding of this procedure, I desire you would let me know by what law it is you prosecute me, and on what law you ground your indictment.

Recorder: Upon the common law.

Penn: Where is that common law?

Recorder: You must not think that I am able to sum up so many years and ever so many adjudged cases, which we call common law, to satisfy your curiosity.

Penn: This answer I am sure is very short of my question; for if it be common it should not be so very hard to produce.

Recorder (baffled by the prisoner's tact, and like other men when they feel themselves foiled at their own weapons, losing his temper): Sir, will you plead to your indictment?

Penn: Shall I plead to an indictment that has no foundation in law? If it contain that law you say I have broken, why should you decline to produce it, since it will be impossible for the jury to determine, or agree to bring in their verdict, who have not the law produced by which they should measure the truth of the indictment.

Recorder (waxing still warmer): You are a saucy fellow. Speak to the indictment.

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[1] The People's Ancient and Just Liberties Asserted, fol. i. 11.

Penn: I say it is my place to speak to matter of law. I am arraigned a prisoner. My liberty, which is next to life itself, is now concerned. You are many against me; and it is hard if I must not make the best of my case. I say again, unless you show me and the people the law you ground your indictment upon, I shall take it for granted your proceedings are merely arbitrary.

Hereupon the whole Bench set at the prisoner and by dint of noise and vehemence tried to bear him down. He replied calmly and with a subtle and incisive logic which galled the venal ministers of justice all the more because it could not be answered. After a while, the trial went on a little more decorously.

Recorder: The question is—whether you are guilty of this indictment.

Penn: The question is not whether I am guilty of this indictment, but whether this indictment be legal. It is too general and imperfect an answer to say it is common law, unless we know both where and what it is: for where there is no law there is no transgression;[1] and that law which is not in being, so far from being common law, is no law at all.

Recorder: You are an impertinent fellow. Will you teach the court what law is? It is *lex non scripta.* That which many have studied thirty or forty years to know, would you have me tell you in a moment?

Penn: Certainly, if the common law be so hard to be understood it is far from being very common: but if the Lord Coke in his Institutes (vol. ii. p. 50) be of any weight, he tells us that—" Common law is common right, and common right is the great charter privileges confirmed by 9 Henry III. c. 29: by 25 Edward I. c. 1: and by 2 Edward III. c. 8.

Recorder (more and more uncomfortable every moment): Sir, you are a very troublesome fellow, and it is not for the the honor of the court to allow you to go on.

Penn: I have asked but one question, and you have not answered me—though the rights and privileges of every Englishman are concerned in it.

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[1] *Ubi non est lex ibi non est transgressio.*—Coke. The reader of the Institutes will find how completely William Penn had mastered both their spirit and terminology. His defence is almost wholly clothed in the language of the great lawyer.

Recorder: If I should suffer you to ask questions till to-morrow morning you would be never the wiser.

Penn: That would depend upon the answers. (That was a word sent home.)

Recorder: Sir, we must not stand to hear you talk all night.

Penn: I design no affront to the court, but to be heard in my just plea. And I must plainly tell you, that if you deny me the oyer of that law which you suggest I have broken, you do at once deny me an acknowledged right, and evince to the whole world your resolution to sacrifice the privileges of Englishmen to your sinister and arbitrary designs.

Recorder (lost beyond recovery): Take him away! My Lord, if you do not take some course with this pestilent fellow to stop his mouth, we shall not be able to do any thing to-night.

Lord Mayor: Take him away, take him away! Put him into the bale-dock.

Penn: These are so many vain exclamations. Is this justice or true judgment? Must I be taken away because I plead for the fundamental laws of England? However, (addressing the jury) this I leave upon your consciences, who are my sole judges, that if these ancient fundamental laws, which relate to liberty and property—and are not limited to particular persuasions in matters of religion—must not be indispensably maintained—who can say he has a right to the coat upon his back? If not, our liberties are open to be invaded—our wives ravished—our children enslaved—our families ruined—our estates led away in triumph. The Lord of heaven and earth will be judge between us in this matter.[1]

Recorder: Be silent there.

But Penn would not be silent till he had completed his defence. The bench had given him a solemn promise that he should have liberty of speech. He asserted his right to be heard by the jury; for not only did his personal liberty depend upon the issue, but the peace of ten thousand families besides. Determined to hear no more, the Lord Mayor and Recorder commanded the officers of the Court to carry the prisoner to the bale-dock—a well-like place at the farthest end of the court, in which he could neither see nor be seen

[1] The heads of this speech are preserved in Gerard Croese, 75-77.

by the bench, jury, or public. Thither he was forced under a protest against their right to remove him before the jury retired.[1] Mead then addressed himself to his peers:

Mead: You men of the jury,—Here I stand to answer an indictment which is a bundle of lies: for therein I am accused that I met *vi et armis illicite et tumultuosè*. Time was when I had freedom to use a carnal weapon, and then I thought I feared no man; but now I fear the living God. I am a peaceable man; and therefore ask, like William Penn, an oyer of the law on which our indictment is founded.

Recorder: I have made answer to that already.

The old soldier of Cromwell was not to be cowed. Turning from the bench to the jury box he told them, that if the Recorder would not tell the court what constituted a riot and an unlawful assembly, he would quote for them the opinions of Lord Coke. A riot, said that great legal writer, was when three or more met together to beat a man, or enter his house by force, or cut his grass, or trespass on his land.—Here the learned Recorder took off his hat to the prisoner, and making a low bow, said in a tone which was meant to be withering—I thank you, sir, for teaching *me* what is law.

Mead: Thou mayest put on thy hat: *I* have no fee to give thee.

Sheriff Brown: He talks at random: one while an Independent—now a Quaker—next a Papist.

Mead: Turpe est doctori cum culpa redarguit ipsum.

Lord Mayor: You deserve to have your tongue cut out.

Mead: Thou didst promise me I should have fair liberty to be heard. Am I not to have the privilege of all Englishmen?

Recorder: I look upon you to be an enemy to the laws of England, which ought to be observed and kept; nor are you worthy of the privileges others have.

Mead: The Lord be judge between thee and me in this matter.

Hereupon the court ordered Mead to be also removed to the bale-dock: and in the absence of the parties accused of crime, the court proceeded to charge the jury as follows:

Recorder: You, gentlemen of the jury, have heard what the indictment is: it is for preaching to the people and draw-

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[1] The People's Ancient and Just Liberties Asserted, fol. i. 12.

ing a tumultuous company after them: and Mr. Penn was speaking. If they should not be disturbed, you see they will go on. There are three or four witnesses have proved this—that Mr. Penn did preach there, that Mr. Mead did allow of it. After this, you have heard by substantial witnesses what is said against them. Now we are on matter of fact, which you are to keep and to observe, as what hath been fully sworn, at your peril.

Penn (from the bale-dock, at the top of his voice): I appeal to the jury who are my judges and to this great assembly, whether the proceedings of the court are not most arbitrary and void of all law in offering to give the jury their charge in the absence of the prisoners! I say it is directly opposed and destructive to the right of every English prisoner, as declared by Coke in the 2d Institute 29, on the chapter of Magna Charta.

Recorder (with a pleasant smile): Why, you are present: you do hear. Do you not?

Penn: No, thanks to the court that commanded me into the bale-dock. And you of the jury, take notice that I have not been heard; neither can you legally depart the court before I have been fully heard, having at least ten or twelve material points to offer in order to invalidate their indictment.

Recorder: Pull that fellow down; pull him down.—Take them to the hole. To hear them talk doth not become the honor of the court.

And so they were taken out of the bale-dock and carried off to the hole in Newgate—the nastiest place in the most loathsome gaol in England, a den which Penn describes as so noisome that the Lord Mayor would think it unfit for his pigs to lie in.[1] The Recorder then commanded the jury to agree in their verdict according to the facts sworn. They retired: but the court remained sitting: the vast concourse of people[2] keeping an eager eye on the door which led into the jury-room, each spectator being anxious to catch the first glimpse of the foreman's face, to read the result before it could be spoken out in words.

An hour and a half had passed when the door opened, and eight of the twelve walked into court. They said they could not agree upon a verdict. The Recorder commanded the un-

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[1] Truth Rescued, folio, i. 506. [2] Ibid. fol. i. 511.

complying four to be brought into his presence: they came: and the court heaped abuse upon them in a style which was peculiar to that splendid and polite generation. Edward Bushel was one of those who held out most strongly for the right to give an honest verdict; and the rage of the whole bench was vented upon him.

Recorder: You, sir, are the cause of this disturbance, and manifestly show yourself an abettor of faction. I shall set a mark upon you, sir.

Sir John Robinson: I know you. You have thrust yourself upon this jury.

Bushel: No, Sir John. There were three score before me on the panel, and I would willingly have got off, but could not.

Sir John Robinson: I tell you, you deserve to be indicted more than any man that has been indicted this day.

Lord Mayor: Sirrah, you are an impertinent fellow! I will put a mark on you.

This is a sample of the language made use of by the bench. The jury retired again: they were absent a longer time than before: at length they returned, and, Penn and Mead being sent for, silence was commanded.

Clerk: Are you agreed in your verdict?

Thomas Veere, the Foreman: Yes.

Clerk: How say you? Is William Penn guilty of the matter whereof he stands indicted in manner and form, or not guilty?

Foreman: Guilty of speaking in Gracechurch Street.

Court: Is that all?

Foreman: That is all I have in commission.

Recorder: You had as good say nothing.

Lord Mayor: Was it not an unlawful assembly? You mean he was speaking to a tumult of people there?

The foreman explained that on those points they were not agreed. Here the court thought proper to converse with each juryman separately, so as to influence them in detail: some of the men expressed themselves in favor of the views taken by the bench; but Edward Bushel, John Hammond, and two or three others, declared that they could admit no such term as unlawful assembly into the verdict. By threats and foul language the court tried to bear these men down—the Lord Mayor, the Recorder, Sir John Robinson, and Al-

derman Bludworth, particularly distinguishing themselves by their copious use of the idioms of Blackheath and Billingsgate.[1]

Recorder: The law of England will not allow you to depart till you have given in your verdict.

Foreman: We have given in our verdict: we can give in no other.

Recorder: Gentlemen, you have *not* given in your verdict; you had as good say nothing as what you had said. Therefore go and consider it once more.

A Juror: We desire we may have pen, ink, and paper.

This request was granted, and the court adjourned for half an hour. When they returned they give in a written verdict, —again finding William Penn guilty of speaking to an assembly met together in Gracechurch Street,—and acquitting William Mead. This was signed by all the twelve. On hearing it read aloud the Lord Mayor broke out into a fearful passion. "What," he shouted at the whole jury, "will you be led by such a silly fellow as Bushel—an impudent, canting knave! I warrant you, you shall not come upon juries again in a hurry." And then turning on Thomas Veere, exclaimed —"You are a foreman, indeed! I thought you understood your place better." The city lawyer came more directly to the point.

Recorder: Gentlemen, you shall not be dismissed till you bring in a verdict which the court will accept. You shall be locked up, without meat, drink, fire, and tobacco. You shall not think thus to abuse the court. We will have a verdict by the help of God, or you shall starve for it.

Penn: My jury, who are my judges, ought not to be thus menaced. Their verdict should be free—not forced.

Recorder: Stop that fellow's mouth, or put him out of court.

Lord Mayor (to the jury): You have heard that he preached; that he gathered a company of tumultuous people; and that they not only disobey the martial power, but the civil also.

Penn: That is a mistake. We did not make the tumult, but they that interrupted us. The jury cannot be so ignorant

[1] The People's Ancient and Just Liberties Asserted, fol. i. 13, and Truth Rescued from Imposture, folio, i. 495.

as to think we met there to disturb the peace, because it is well known that we are a peaceable people, never offering violence to any man, and were kept by force of arms out of our own house.

Baffled and beaten, out-argued in law, and its evil animus exposed to the public, the bench lost its temper and would sit no longer. It was ordering the jury to be locked up and the prisoners to be taken back to Newgate, when Penn again addressed them:

Penn: The agreement of twelve men is a verdict in law; and such a one being given by the jury, I require the clerk of the peace to record it—as he will answer at his peril. And if after this, the jury bring in another verdict contrary to this, I affirm they are perjured men.—Then, looking at the jurors, he added, You are Englishmen, mind your privileges. Give not away your rights.

One of the jury pleaded indisposition.

Lord Mayor: You are as strong as any of them. Hold your principles and—starve.

Recorder: Gentlemen, you must be content with your hard fate: let your patience overcome it. The court is resolved to have a verdict.

The whole Jury: We are agreed. We are agreed. We are agreed.

They were locked up. Next morning, being Sunday, the court was crowded as before to see the prisoners and to hear the verdict. At seven o'clock the names of the jury were called over; each man answered to his name, and the clerk inquired if they were agreed, They replied they were. Guilty or not guilty?

Foreman: William Penn is guilty of speaking in Gracechurch Street.

Lord Mayor: To an unlawful assembly?

Bushel: No, my lord. We give no other verdict than we gave last night.

Lord Mayor: You are a factious fellow; I'll take a course with you.

Ald. Bludworth: I knew Mr. Bushel would not yield.

Bushel: Sir Thomas, I have done according to my conscience.

Lord Mayor: That conscience of yours would cut my throat.

Bushel: No, my lord, it never shall.

Lord Mayor : But I will cut yours as soon as I can.

Recorder: (inclined to be merry): He has inspired the jury: he has the spirit of divination: methinks he begins to affect me.—I will have a positive verdict, or else you shall starve.

Penn: I desire to ask the Recorder a question. Do you allow the verdict given of William Mead?

Recorder: It cannot be a verdict, because you are indicted for conspiracy—and one being found "Not Guilty" and not the other, it is no verdict.

Penn: If "Not Guilty" be no verdict, then you make of the jury and of the Great Charter a mere nose of wax.

Mead: How! Is "Not Guilty" no verdict?

Recorder: No, it is no verdict.

Penn: I affirm that the consent of a jury is a verdict in law; and if William Mead be not guilty, it follows that I am clear, since you have indicted us for conspiracy, and I could not possibly conspire alone.

The bench found it convenient not to notice this way of viewing the case. Another scene of confusion followed—threats on the part of the magistrates—met by unflinching firmness from the jurors. Again they were sent to their room: again they returned with the same verdict of "Guilty of speaking in Gracechurch Street." It was clear they could do no more according to the evidence which had been laid before them. When the Foreman announced the result of their third examination, the legal conductor of the trial roared out:

Recorder: What is this to the purpose? I say, I *will* have a verdict. (And then scowling fiercely at Edward Bushel, cried,) You are a factious fellow. I will set a mark on you: and whilst I have any thing to do with the city, I will have an eye upon you.

Lord Mayor (to the other jurors): Have you no more wit than to be led by such a pitiful fellow? I will cut his noise. (Slitting noses was a common punishment for offenders in those days.)[1]

Penn: It is intolerable that my jury should be thus menaced. Is this according to the fundamental laws? Are

[1] The young bloods of the courts were especially fond of this pastime. Coventry, a leading member of Parliament, was set upon in the Haymarket, and his nose slit by Monmouth and his partisans. Marvell, i. 413.

they not my proper judges by the Great Charter of England? What hope is there of ever having justice done when juries are threatened and their verdicts rejected? Has not the Lieutenant of the Tower made one of us out worse than a felon?

Recorder: My lord, you *must* take a course with that fellow?

Lord Mayor: Stop his mouth. Gaoler, bring fetters, and stake him to the ground.

Penn: Do your will: I care not for your fetters. (Well said, Penn.)

Recorder (suddenly enlightened): Till now I never understood the reason of the policy and prudence of the Spaniards in suffering the Inquisition among them: and certainly it will never be well with us till something like the Inquisition be brought into England.[1]

Here was a doctrine to be preached in an open court and by a minister of justice! The incident is worth a thousand other facts for letting in light upon the spirit which ruled in high places under the restored Stuarts. Penn had some family knowledge of the Spanish Inquisition, as will be seen in the sequel:[2] and the avowed hope of the London Recorder that a similar institution would soon be imported into England armed him with a weapon of which he knew how to make good use in his subsequent appeals to the popular mind.[3]—The bench now told the jury they must retire until they could agree upon a verdict of guilty. They refused to retire again. They had consulted three several times; they had agreed to a verdict and signed it; they could give no other.

Recorder: Gentlemen, we shall not always be at this pass with you. You will find that next Session of Parliament there will be a law made that such as will not conform shall not have the protection of law. Mr. Lee (addressing a law officer of the court), draw up another verdict that they may bring it in special.

Lee: I cannot tell how to do it.

A Juror: We ought not to be returned, having all agreed and set our hands to the verdict.

Recorder: Your verdict is nothing. You play upon the

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[1] The People's Ancient and Just Liberties Asserted, fol. i. 17.
[2] See Chap. xii. [3] Truth Rescued from Imposture, fol. i. 495.

court. I say you shall go and bring in another verdict or you shall starve; and I will have you carted about the city as in Edward the Third's time.

Foreman (famishing with his thirty hours fast): We have given in our verdict, in which we are all agreed: if we give in another, it will be by force, to save our lives.

Lord Mayor: Take them up to their room.

Officer: My lord, they will not go.

The bench commanded the Sheriff to use force to compel them to retire.

Thus coerced they obeyed, and were again locked up for the night; without food, without fire, without water,—to endure the agony of another night of raging fever brought on by thirst and want of rest. They spent the night in consultation. Some wavered and wandered in their thoughts;—what marvel! Some would give way; any thing was better than the torture of such a situation. But the men who fought for freedom of conscience—for the rights of jurors—supported from within by the strong sense of martyrdom, held on without a murmur. They were prepared to die if need were, but not to play traitors to their civil freedom and their own convictions.

Next day the court sat again. It was Monday morning, and the proceedings began soon after sun-rise. Yet the room was crowded.[1] The prisoners being placed at the bar, the jury were sent for. The men appeared pale and haggard, but still firm and resolute. All the forms of legal procedure were gone through in succession; while the excited spectators tried to read in the faces of the jury the nature of their decision:

Crier: Silence in the court, on pain of imprisonment![2]

Clerk: Gentlemen, are you agreed in your verdict?

Jury: Yes.

Clerk: Who shall speak for you?

Jury: Our foreman.

Clerk: Look upon the prisoners. What say you, is William Penn guilty of the matter whereof he stands indicted in manner and form, or not guilty?

Foreman: You have our verdict in writing.

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[1] Penn to his father, Sept. 5, 1670. Phil. Friend, vii. 59.

[2] Ancient and Just Liberties Asserted, i. 17.

Clerk: I will read it—

Recorder: No. It is no verdict. The court will not accept it.

Foreman: If you will not accept of it, I desire to have it back again.

Court: The paper was no verdict, and no advantage shall be taken of you for it.

Clerk: How say you: is William Penn guilty or not guilty?

Foreman: Not guilty. (Great movement and emotion among the audience.)[1]

Clerk: Then hearken to your verdict. (Reads) You say William Penn is not guilty and you say William Mead is not guilty. Say you so?

Jury: We do.[2]

The dissatisfied court would not be content with this answer. Each man must speak for himself. The names were called over one by one in the hope that some man more timid than the rest would side with the prosecution. In vain: each juror answered to the call, and distinctly and without qualification pronounced—not guilty.

Recorder: I am sorry, gentlemen, you have followed your own judgments and opinions rather than the good advice which was given you. God keep my life out of your hands? But for this the court fines you forty marks a man, and imprisonment in Newgate till the fines be paid.[3]

Penn: Being freed by the jury, I demand to be set at liberty.[4]

Lord Mayor: No. You are in for your fines.

Penn: Fines! What fines?

Lord Mayor: For contempt of court.

Penn: I ask if it be according to the fundamental laws of England that any Englishman should be fined except by the judgment of his peers? Since it expressly contradicts the 14th and 29th chapters of the Great Charter of England, which says, No free man ought to be amerced except by the oath of good and lawful men of the vicinage.

Recorder (with a severe and simple logic): Take him away; put him out of the court.

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[1] Penn to his father, Sept. 5.
[2] Ancient and Just Liberties asserted, i. 18.
[3] Penn to his father, Sept. 5. Philadelphia Friend, vii. 59.
[4] Ancient and Just Liberties Asserted, i. 18.

Penn: I can never urge the fundamental *laws* of *England*, but you cry out, "Take him away, take him away:" but this is no wonder, since the *Spanish Inquisition* sits so near the Recorder's heart. God, who is just, will judge you all for these things.[1]

Prisoner and jurors alike refused to pay the fines—the first as a matter of conscience, the second, because, under the influence of Edward Bushel, they were induced to dispute the power of the court to inflict a fine for such a contempt as the one they stood charged with—and were all removed to Newgate.[2] Penn wrote to his father daily; his letters breathe the most affectionate and devoted spirit. He much deplores the admiral's illness, and his own compelled absence from his bed-side; but he feels that the cause of freedom is at stake, that he is detained notoriously contrary to law, and he beseeches his family not to think of paying his fine in order to his being set at liberty.[3]—However anxious to be near his father at such a time, he would do nothing unworthy in order to gratify his filial love: he would trust in God and the justness of his cause.[4]

Up to this period the usage of the courts with regard to verdicts had never been reduced to a legal and positive form: from the days of the Tudors it had been the occasional practice of the bench to inflict fines on contumacious and inconvenient juries; for centuries it had remained an unsettled question of law whether the jury had, or had not, a right so far to exercise its own discretion as to bring in a verdict contrary to the sense of the court. This great power was now to be decided. Bushel and his fellow-jurors, at Penn's suggestion, brought an action against Sir Samuel Starling and Sir John Howell, the Lord Mayor and the Recorder of London, for unjust imprisonment.[5] On the fifth of September they were committed to Newgate; counsel was engaged, and application was immediately made to the court of Common Pleas, but it was not until the ninth of November that a writ of Habeas Corpus was issued to the Governor of the gaol to bring up the person of Edward Bushel.[6] Newdegate,

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[1] Ancient and Just Liberties Asserted, i. 18.

[2] Freeman's Reports of Cases in Law and Equity, from 1670 to 1706, folio, p. 2.

[3] Penn to his father, Sept. 6, 1670. Philadelphia Friend, vii, 59.

[4] Ibid. Sept. 7. [5] Ibid. Sept. 5. [6] Vaughan's Reports, fol. p. 135.

Size, Waller, and Broome appeared as counsel for the prisoners; Leroy and Maynard for the king—that is, for Starling and Howell, the king's justices. Freeman has preserved the heads of this famous appeal.[1] The defence was taken on the ground that the jury had brought in a verdict contrary to the laws of England, to manifest evidence, and to the direction of the court. Newdegate urged against this defence,—that, so far as the laws of England were concerned, the defence was bad—inasmuch as the question of law cannot occur until the facts are proved; here the facts were not proved to the satisfaction of the men who were called upon by the constitution to investigate them; consequently, the laws not being invoked, they could not be violated. The second point of the defence Broome met by showing that it is the special function of the jury to judge of the value of the evidence submitted to it, and that in the eye of the law that body is presumed to be a more competent judge of whether evidence is good or bad than the court. This argument also met the last point of the defence; the bench might be deceived in its opinion—the jury being agreed amongst themselves, are presumed to be infallible. The bench, therefore, though at liberty to offer suggestions to the jurymen for their consideration, may not lawfully coerce them; or, as Newdegate expressed it, the judges may try "to open the eyes of the jurors, but not to lead them by the nose."

The court of Common Pleas adopted these views. Sir John Vaughan summed up the argument on both sides, and gave a learned exposition of the question as a piece of historical law, ending with a verdict for Edward Bushel on behalf of himself and his fellow-prisoners.[2] They were consequently ordered to be set at liberty in open court. Ten of the other eleven judges agreed in the verdict given by Sir John Vaughhan—Chief Baron Turner, merely abstained from giving an opinion on the point, as he had not been present in the court to hear the arguments of counsel.[3] The verdict may therefore be considered as the unanimous expression of the twelve Judges. The reason appended to the judgment is curious—"because the jury may know that of their own knowledge which may guide them to give their verdict contrary to the sense of the

[1] Freeman's Reports, fol. p. 3. [2] Vaughan's Reports, fol. p. 158.
[3] Vaughan's Reports, fol. p. 142, marginal note.

court."[1] An obvious interpretation of these words would be, that the judges considered it possible the jurors might have private information, not laid before the court, to assist them in forming a correct judgment; but this supposition is not tenable for a moment.[2] The other sense in which the "reason" may be understood, is that suggested by Broome—the implied superiority of the juror as a judge of what is good in evidence and what is not good.[3]

Be this as it may, the result was clear. The course adopted by the Lord Mayor and Recorder was condemned by the highest legal tribunal in the land. Bushel and his fellows left Newgate as conquerors.[4]

The importance of this extraordinary trial can hardly be over estimated, either as a piece of history shedding light on the opinions held in high places in the age immediately succeeding a time in which, even by the confession of men otherwise adverse to it, justice had been incorruptibly administered; or as a stand taken once for all upon the ancient liberties of England against the encroachments of an apostate king and a licentious court. It established a truth which William Penn never ceased to inculcate—that unjust laws are powerless weapons when used against an upright people. It proved that in England at least the ruling power of the moment, even when agreed in all its branches, is not omnipotent; that there still remained, and ever must remain, a grand check to unjust government in the public conscience. What is the use of a severe law, if the nation repudiates it—if juries refuse to convict under it? It becomes at once a dead letter, a thing which nobody will own, a statute really at large. We at the present day can more distinctly realize the service rendered to posterity—to liberty, by the noble defence offered at these trials, than could contemporaries. We have seen the results of the stand then made—results which there is good

[1] Freeman's Reports, folio, p. 5.

[2] This interpretation of the terms woul dimply a confusion in the mind of the bench of the old functions of a jury—formerly a body of *witnesses*—and those of more modern date.

[3] Clarkson was ignorant of the appeal of Bushel to the Court of Common Pleas. He was consequently unable to perceive the historical bearing of the whole trial. "As to the poor jurymen," he writes, "I can nowhere learn what became of them, or how long they were allowed to languish in their prison." Vol. i. p. 82.

[4] The material points of this famous trial are collected by Howell. State Trials, vi. 999.

reason to believe Penn for one foresaw. It may be said without exaggeration that these trials gave a new meaning—infused a new life, into the institution of the jury. The result proved there was a power in the state superior to the parliament in its palace at Westminster and the King in his palace at Whitehall combined—that sense of justice which informs the brain and nerves the heart of the English people. Driven from the court, the legislative assembly, and the bench of justice, the spirit of Puritan Democracy found an impregnable citadel in the jury-room. In the day of courtesan influence, of unblushing venality and vice, the most odious laws might obtain the sanction of a parliamentary majority: judges even might be found to administer them: but, after all, it was now discovered with alarm and indignation, that juries chosen from the body of the nation might refuse to convict under them, and so in reality annul them at the very moment they were brought into action. From that day the jury ceased to be a mere institution—it became a living power in the state; a power not inferior to either King or Commons. One of the most sacred relics of the Saxon Democracy, it suddenly reacquired its ancient importance: an importance which it has ever since maintained.

By bringing the two prisoners in not guilty, Edward Bushel and his compeers pronounced sentence upon the Conventicle Act itself—for, according to the letter of that law, Penn confessed that he was guilty. The verdict in the Court of Common Pleas legalized the right which they had assumed; had other juries throughout the kingdom at once followed their example, some of the cruelest pages of our history had never been written—the spirit which induced persecution for conscience' sake had never again raised its head in England. Some few others, encouraged by the example, did so; but many did not—either alarmed by the threats of starvation, or actuated by suggestions from the genius of sectarian intolerance. Still, the germ was planted; the principle that the jury could reject the unjust law by a refusal to convict had been asserted in the jury-room—asserted in a case which claimed the sympathies of every liberal mind—and the right had been gravely admitted by the whole bench of judges.

William Penn and William Mead, though they refused as a matter of conscience to pay the fines which had been imposed upon them for contempt of court, did not long remain in New-

gate. A day or two after their removal thither, the turnkey came to them with the intelligence that some unknown friend had paid their fines—and they were at liberty to depart.[1] The acquitted prisoner soon afterwards published an account of the trial, under the title—"The People's Ancient and Just Liberties Asserted." In an appendix to this work he gave a brief statement of the points which would have been urged against the indictment, had the course of proceedings adopted by the court not led to the higher constitutional issue: and in a second appendix he rehearsed the more material points of the Great Charter and of its confirmation by Edward I., with some other matters closely connected in interest with the main subject. Ever appealing to the old charters![2]

Here we again observe William Penn enlarging the contracted sphere of his sect. The ordinary Quaker, in the simplicity of his heart, would have defied the unjust law, and suffered like a martyr—satisfied with an appeal to conscience. Penn joined a larger amount of that worldly wisdom, which, like the rest, he fancied he despised, to his more ardent zeal. He knew his country, and his country's history. His legal studies at Lincoln's Inn had not been thrown into a barren soil. The circle of his mind was large, and he never sunk the Englishman in the sectarian. He was anxious about civil as well as religious liberty. Wisely therefore he took his stand on the old charters, and made his appeal to the public in their own cause.

Admiral Sir William Penn, though still young in years, was now lying on his death-bed. His career had been one to try the hardiest frame; his youth had passed amidst the hardships which serve to develope intellect at an early age, but which also plant in the constitution the seeds of premature decay. During the whole of this year (1670) ill health had kept him confined to his country house in Essex; the excitement caused by his son's arrest, imprisonment, and trial, had made him materially worse; and when William hastened home to Wanstead from Newgate he was alarmed to find that, in the opinion of his medical attendants, he had only a few days to live.[3]

It is interesting to stand by the bed-side of this able, worldly,

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[1] Two years before this Sir William had openly advised the King to put an end to the Conventicle Act. Pepys, May 3, 1668.

[2] Collected Works, i. 19-35. [3] Granville Penn. Memoirs, vol. ii. p. 560.

and aspiring man—dying at forty-nine—full of rewards and honors, yet far below the higher reaches of his ambition. He had hoped to die a peer; to leave behind him a noble line. He felt that he had deserved this great reward at the hands of his sovereign. His sovereign had offered it; but the son to whom it must have descended in the course of nature firmly rejected the proffered honor.[1] Two years before he had sent forth his voice from a dungeon in the Tower to denounce all such appendages as grace, lordship, highness, majesty. He had not only refused to receive, but even to acknowledge earthly titles.[2] This had been a severe blow to the father; and while he remained in health and in office near the King's person, it is doubtful whether he ever entirely forgave him; but seclusion from the world and the wiser thoughts which a contemplation of his latter end brought with it, seemed to have at length reconciled him to the loss of worldly rank. "Son William," said the veteran only a day or two before his death, "I am weary of the world: I would not live my days over again, if I could command them with a wish; for the snares of life are greater than the fears of death."[3] The admiral had apparently ceased to think of his own great disappointment; but he retained his patriotic ardor to the last. He bewailed the corruption of the age, the profligacy in high places, the daily traffic in justice, the contempt into which the court had fallen, the rottenness of the nation at home, the decline of its influence abroad. He gave his children three maxims as a legacy: "First—Let nothing in this world tempt you to wrong your conscience; so you will keep peace at home, which will be a feast to you in the day of trouble. Secondly—Whatever you design to do, lay it justly and time it seasonably, for that gives security and dispatch. Lastly—Be not troubled at disappointments; for if they may be recovered, do it; if they cannot, trouble is vain: if you could not have helped it, be content; there is often peace and profit in submitting to Providence, for afflictions make wise: if you could

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[1] This is distinctly stated in one of Penn's letters to an old Quaker friend, who had censured him unjustly. "It is more than a *worldly title or patent* that hath clothed me in this place [Pennsylvania]. . . . . Nor am I sitting down in a greatness which I have denied. . . . Had I sought greatness, I had stayed at home, where the difference between what I am here, *and was offered, and could have been there in power and wealth*, is as wide as the places are."

[2] No Cross, no Crown, i. 321, folio ed.

[3] Ibid. i. 433, fol. ed.

have helped it, let not your trouble exceed your instruction for another time. These rules," said the admiral, "will carry you with firmness and comfort through this inconstant world."[1]

The dying man had now risen into that region which is above the fear or favor of the world. His frame of mind was calm, confiding, and religious. He talked a good deal with his son: and in the end came not only to forgive but to applaud his erratic course. "Son William,"—these were almost the last words he uttered,—"if you and your friends keep to your plain way of preaching, and also keep to your plain way of living, you will make an end of priests to the end of the world." For himself, however, he died, as he had lived, a member of the Church of England. He simply added—"Bury me near my mother: live all in love. Shun all manner of evil. . . . I pray to God to bless you all; and He will bless you."[2]

He died on the 16th of September, eleven days after the trial, and was buried in the parish church of Redclyffe, in the town of Bristol, where his monument may still be seen. With a life interest in his estate reserved to Lady Penn,—his daughter Margaret married,[3]—he left the whole of his property, plate, household furniture, money owing to him by the government, lands in England and in Ireland, his gold chain and medal, and the sole executorship of his last will and testament to his Quaker son.[4] Altogether, this property was of very considerable amount. Besides the claims on the state for money lent to it and for arrears of salary—not much under 15,000*l.*—the estates brought their owner, on the average, about 1,500*l.* a year: a large fortune in those times.[5]

Fearing, not without good cause, from what had already

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[1] No Cross, no Crown. Collected Works, i. 432, 3. [2] Ibid.

[3] She married Antony Lowther of Maske, who served in Parliament for Appleby, in the sessions of 1678-9. Their son, William, was made a baronet in 1697. He married the heiress of Holker, and his son married into the Devonshire family.

[4] Granville Penn. Memoirs, vol. ii. p. 565-7.

[5] Admiral Penn died tolerably well off; but not so wealthy as his enemies gave out in order to make him unpopular. A curious instance of this system of indirect scandal is recorded by Pepys. "April 20, 1668. Meeting Sir William Hooker, the alderman, he did cry out mighty high against Sir William Penn, for getting such an estate, and giving 15,000*l.* with his daughter, which is more by half than he ever did give; *but this the world believes, and so let them.*"

happened, that, unless held up and supported by powerful friends, his son's life would be a continual act of martyrdom, Sir William had sent from his death-bed to both the King and the Duke of York to solicit at their hands those kind offices towards his son which they had been ever ready to extend to himself. The royal brothers returned the most flattering answers to this request; and James more especially undertook the office of guardian and protector to the young man—an office which he honorably and faithfully discharged.[1] This was the simple and natural origin of that connection between the Quaker subject and the Catholic prince which afterwards created so much scandal. As Penn many years after his father's death told the delegates of Magdalen College, the questions which had made him so intimate with the prince were such as affected his property, not his religion.[2]

CHAPTER IV.

1670–1673.

GULI. SPRINGETT.

Gulielma Maria, daughter of Sir William Springett, of Darling, in Sussex, one of the leaders of the Parliamentary forces during the first years of the civil war, was residing with her mother at the rustic village of Chalfont, in Buckinghamshire, when her future husband first saw her. She was the delight of a small but distinguished circle, including no less a person than John Milton, Thomas Ellwood, his friend and pupil, and the famous Isaac Pennington.[3] To Pennington, Guli's father-in-law, Ellwood had owed his introduction to his great Master, of whose urbane and gentle manners he has left so touching an account;[4] and when the ravages of the plague made it necessary for the noble bard to quit his house in London for a time, he naturally went down to Chalfont with

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[1] Penn to Popple, Oct. 24, 1688. [2] Wilmot's Life of Hough, 25.

[3] Lady Springett's Autobiography, MS. Ellwood's Memoirs, 233.

[4] Ellwood's Memoirs, 131. Milton lived at that time in Jewin street, in London. The young Quaker always speaks of him as "my master." Memoirs, 202.

his pupil, knowing that friends were to be found there who shared his opinions and revered his genius.[1] Rarely is a small and unpretending village honored with such a company as Chalfont boasted in those days of mourning. The Penningtons occupied the Grange, which they had rebuilt and beautified; Milton lived in a neat little cottage at a short distance; and Ellwood had a house about midway between the residences of his friends, at one or other of which he spent nearly the whole of his time.[2] Guli. Springett he had known from childhood; he had been one of her little playfellows in the hop-gardens of Kent, in which county her property lay and his family resided; and as he had grown up to manhood had become deeply sensible of the charms of the young beauty with whom he lived on such perilous terms of familiarity. How far he was in mortal love with her he dared not ask himself, much less avow to her, lest he might break the spell which had bound them together from their common childhood.[3] To be near her, to hear her laugh, to watch her form expand, her soft and lovely features day by day ripen like a peach into more delicate perfection,—this made him happy; while from his confessions it is clear that in his secret soul he always felt that she was above his reach, and never could become his wife.[4] It is not easy to decide which of the attractions of Chalfont—his master or his mistress—was the greater for Ellwood. To Milton he was devotedly attached; and though his love for Miss Springett was true and earnest, it was not so violent as to be beyond control. Guli, who was sought after and flattered by men of all classes, peers and commoners, courtiers and puritans,[5] cannot but have been aware of her power over her old playfellow; she cannot fail to have felt flattered by his silent and modest homage, so unlike the warmer forms of courtship common in that polite and

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[1] Ellwood's Memoirs, 223. [2] Lady Springett's Autobiography.

[3] Thomas Ellwood was much loved and trusted by the Penningtons. I find frequent and affectionate mention of him in Lady Springett's Autobiography.

[4] Ellwood's Memoirs, 210 The history of unsuccessful love has hardly any thing more charming than some of the Quaker's confessions. It was possibly the example of Guli, that moved his spirit to adopt the gospel of George Fox: his account of his first visit to the Penningtons after they had turned Quakers, is quite amusing—when he finds his old playfellow suddenly grown demure, and that although the dinner is good, there is no fun over it. Memoirs, 15.

[5] Penn Gaskell MSS.

dissipated age; but as he never gave offence by obtruding his passion on her thoughts, so she mildly and graciously received and reciprocated his attentions, and contracted for him a friendship which lasted without a day of coldness on either side until her death.[1]

Guli was fond of music. Music was Milton's second passion. In the cottage of the poet, in the Grange of the philosopher, how one can fancy the hours flying past, between psalms of love, high converse from the lips of the inspired bard, old stories of the Revolution, in which the elder people had each had a prominent share, and perhaps the recitation of favorite passages from that stupendous work which was to crown the blind and aged poet, and become one of the grandest heir-looms of mankind! It was to these favored friends that Milton first made known that he had been engaged in writing "Paradise Lost;" and it was also in their society that Ellwood suggested to him the theme of his "Paradise Regained."[2] Immortal Chalfont!

When Penn went down to Chalfont to see his friend Pennington, he was at once struck with the charms of the fair Guli. He saw, loved, and prospered in his love. All other suitors were forgotten: and the heart of Miss Springett, with the consent of her mother and her protector, passed out of her own keeping forever. The personal appearance, the social position, the character of the suitor, were all more or less in his favor; but the circumstances of the time, and the recollections of the past, were not without their influence on his love. To understand these influences, it is requisite to look back upon the romantic story of Guli's parents.

The father of Sir William Springett died in the third year of his marriage, leaving a widow and three infant children—one of them unborn—to inherit a good name and a moderate fortune.[3] His widow devoted herself to the education of her children, and they grew up to be an honor to her and useful to their native land. She was herself a character; the gen-

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[1] Ellwood's Memoirs, 336.

[2] Ibid. 234. In his new poem Milton clothed the dogma of these friends in the language of poetry;—

> He who receives
> Light from above, the fountain of all light,
> No other doctrine needs. *Paradise Regained.*

[3] Lady Springett's MS. Autobiography, to which I am indebted for most of the following particulars.

tleness of her manners and the largeness of her heart made her warmly beloved by all who had the happiness to know her, while her charity was such that at her death the poor lost one of the best friends they had ever known. "To her son William," says Lady Springett, in the memoir already quoted, "she was a most tender and affectionate mother, and always showed great kindness towards me; indeed she was very honorable in counselling her son not to marry for an estate, and put by great offers of persons with thousands, urging him to consider what would make him happy in a choice." Mary Proud,[1] the future memoir writer—a daughter of Sir John Proud, a colonel in the service of the Dutch Republic[2]—was then living in the same house with the Springetts; and being a young woman of great beauty and spirit, of nearly the same age as William, and of his own station in society, both mother and son not unnaturally cast their eyes on their fair ward. Lady Springett, writing more than forty years after these events, in describing them to her grandson, William Penn's eldest son, says,—"She proposed my marriage to him, because we were bred together from children, I being nine, he twelve years old when we first came to live together. She would discourse with him in this wise:—that she knew me, and we were known to one another; she said she should choose me for his wife before any one with a great portion even if I had no portion, because of these things and of our equality in outward conditions and years. She lived to see thy mother (Guli) three or four years old, and was very affectionate to her and took great delight in her wisdom." William, her lover, was highly educated, having earned distinction at Cambridge, whither he was sent "as being accounted more sober than Oxford," but tried in vain to bring down his mind to legal studies, and after residing for a short period in one of the inns of court, mixing with the gay world of London, enjoying the sunshine of royal favor and receiving the honors of knighthood,[3] he retired in Kent, married Miss Proud, became a zealous Puritan, and set aside the old forms of the Church, being the "first of quality in those parts who had refused these things," and of course causing a sensation in the country for many miles round.[4]

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[1] Lady Springett's Autobiography. [2] Penn Gaskell's MSS.
[3] Pedigree in the College of Arms, copied in the Penn Gaskell MSS.
[1] Lady Springett's Autobiography.

This was in 1642. Things coming to a crisis between King and Parliament, Springett joined the Puritan party, and without beat of drum, as his wife tells us, raised eight hundred men to fight for the good cause. He was made colonel of the regiment which he had raised, and commanded, at the battle of Edgehill, one of the infantry corps which gained so much renown on that day. Afterwards he was made Deputy Lieutenant of Kent, in which employment he exhibited a wisdom and courage quite astonishing in a boy of one-and-twenty. He repressed disorders with a strong hand; encouraged the timid and rebuked the carnal minded; raised the spirits of his friends when doubts occurred to them, telling them "it was the cause of God, and they must trust God in it, doing what in them lay to act according to their covenant, and oppose with their lives Popery and Popish innovations." But it was no easy thing to maintain peace at such a time among the sturdy men of Kent. Hardly had his regiment of raw recruits stationed themselves at Maidstone, when a rising of several thousands took place in the Vale of Kent; and to add to the young commander's troubles, his scouts brought him word that Prince Rupert, with a large body of cavalry, was on his march to join the rebels. "Having placed his men in such order as their youth and the time would permit," says Lady Springett, "he came to me (who had then lain in about a month) to take his leave, before they encountered the enemy; but when he came, he found me in danger of being put out of the house in case the enemy proceeded so far. It was a great surprise to him to find me in that danger, and it put him upon great difficulties to provide for my security and to return to his regiment at the time appointed; but he being of a diligent mind and of a quick capacity, found out a course that did effect it, which was this:—He fetched a stage-coach from Rochester, and in the night carried me and my child, to whom I gave suck, and my maid-servant to Gravesend, where he hired a barge for me to go to London, and took a solemn leave as not expecting to see us again, and so posted back to his regiment." In the active service upon which he now entered, the young colonel behaved with equal gallantry and prudence. At the taking of Lord Craven's house in Surrey, he led the forlorn hope at the head of a select body of his troop, all of them the sons of men of substance; at Newbury he was struck by a ball, but happily its force was spent and

it did him no injury; he carefully prevented his soldiers from doing acts of pillage or otherwise exasperating the peasantry. The toil and hardship of his position he bore with the contempt of one inured to war and its privations. He often had to sleep in the open field; in consequence of the want of salt, no one dare to touch flesh meat, and, like the rest of his companions, he had frequently to dine and fight on a biscuit and a piece of candied lemon.[1]

His last service was at the siege of Arundel Castle, where he gained new laurels but lost his life. On the fall of the stronghold, Sir William and Colonel Morley were invested with the command; but while preparing to assume the new duties of his office he was suddenly struck with the sun-fever, from long exposure, though it was then the depth of winter; and so convinced was he from the first that the attack would prove fatal, that he wrote off to his wife, then near her confinement of Guli, to come down to him, if it were possible, at all risks. This was not an easy matter to the agitated wife. Snow was lying thick on the ground; and a keen frost had hardened it along the roads, so as almost to render them impassible. The artificial dams had likewise been removed at Newington and other places near the capital, and the roads in many parts were so far under water, that people passed along in boats instead of wagons, the horses had to be led with strings instead of with the bridle, and coaches to be floated along the high-ways, at considerable risk to horses and men. Besides these impediments, the country was infested with armed bands, ready to plunder any defenceless equipage. These perils so alarmed the owners of coaches in London, that the spirited lady was some time before she could hire any conveyance; at length a widow woman who had received many benefits from Sir William, moved by the distress of his wife, let her have her coach and servants, even though they might be lost by the adventure.

The interview with the dying soldier can only be related in the words of his young wife, written long afterwards for the perusal of his grandson, Springett Penn: "It was about twelve at night when we arrived, and as soon as I had put my foot in the Hall, there being a pair of stairs leading from

[1] The whole of these details are derived from Lady Springett's Autobiography, MS.

it into his chamber, I heard him cry out—*Why will you lie to me? If she be come, let me hear her voice!* which struck me so I had hardly power to get up stairs; but being borne up by two of those present, he seeing me, the fever having took his head, in a manner sprung up, as if he would come out of his bed, saying—*Let me embrace thee before I die.* I found most of his officers about his bed. . . . . The purple spots having come out the day before, were now struck in, and as the fever had begun to touch his brain, they caused him to keep his bed, which he had not been persuaded to do until then. When they saw his dangerous condition (so many Kentish men, both commanders and others, having died of it near his quarters in a few weeks), they constrained him to keep his chamber; but such was the activeness of his spirit and the stoutness of his heart, he could not yield to this ill that had come upon him, but covenanted with them that he would shoot birds with his cross-bow out of the window. . . . After the spots went in the fever became so violent they were forced to sit round the bed to keep him in; but he spake no evil, or raving words at all, but seriously about his dying, and said to the doctor—*What you do, do quickly, for if this doth not do, nothing will help me.* He spake most affectionately to me, and very wittingly to his officers about keeping their prisoners, making up the breach, and keeping the watch. . . . His breath was so scorching as to chap his lips; but he finding that my mouth was cool, would hardly permit me to take it off to breathe, but would cry out—*Oh! don't leave me!* which the doctor and my own maid and the attendants were very much troubled at, looking upon the infection to be so high that it endangered myself and child by taking his breath into me. I being also near my time, found it a very uneasy posture to be in for two hours at times, if not more, bending over him to cool his lips. The physic which was ordered being applied to him, he observed the manner of its operation to be a signification of death, and called out to the doctor—*This will not do; I am a dead man!* From the like sign, the doctor had concluded upon the same, but he said nothing. He called on me again and again to lay my lips to his, which I did for a considerable time, and then he would lie very quiet while I was able to bear this posture, and in this stillness he fell asleep, which they that were by observing, constrained me to go to bed, considering my condition, and leave my maid-

servant with him, who might bring me an account if it were needed: I was prevailed with and went to bed. When he awoke he seemed much refreshed, and took great notice of the maid: *You are my wife's maid*, he said; *where is my wife? How does my boy?* She came up and gave me this account, upon which I would have risen and come down to him, but she persuaded me not, saying he would go to sleep again and I should but hinder it. So I sent a message down to him by her, and went to rest again, not thinking but that there was a probability, from the description she made, of his recovery:—so I lay late. In the morning when I came down, I saw a great change upon him, and sadness upon all faces about him, which thing stunned me: I having let in hope as before. He spake affectionately to me. . . . At last he called me to him, saying—*Come, my dear! let me kiss thee before I die*, which he did with that heartiness which expresses tender regard. *Come, once more let me kiss thee, and take my leave of thee*, said he again, which he did in the same manner as before; and then added—*Now, no more! no more! never, no more!* which done, he fell into a very great agony. He having had but about seven day's illness of this violent contagious fever—which had not so much impaired his strength as inflamed his blood and heightened his spirits—and being a young man, in his agony he snapt his arms and legs with that force, that the veins seemed to sound like snapping of strings on a musical instrument. Oh! this was a dreadful sight to me. My very heart-strings seemed to break. The doctor and my husband's chaplain, and some of the chief officers that were by, seeing that the bed was likely to fall to pieces under him, and noticing that this befell him from taking leave of me, considered together what to do, and concluded they must either persuade me to leave the bed-side or remove me by force; upon which they came and desired me to go to the fire, as while I stood there he could not die—which word was so great that, like an amazed creature, I stamped with my foot and cried—*Die! die! must he die? I cannot go from him!* At which two of them gently lifted me in their arms and carried me to the fire-place, which was a pretty distance from the bed, and there they held me from coming to him again. This time I did not weep, but stood silent and struck. Soon after I was brought from the bed, he became very still; and when they thought his sight was gone they let me go.

Standing at his side, I saw the most amiable, pleasant countenance that ever I beheld, smiling like a young child when (as the saying is) they see angels. . . . He lay about an hour in this state; and towards sunset turned quickly about and called upon a kinsman of his—*Antony! come, quick!* At which very instant we heard him riding into the court-yard, being come many miles to see him. Soon after this he died. . . . When he was dead, I could weep. As soon as the breath was gone out of his body, they took me up into a chamber, and would allow me to see him no more."[1]

A few weeks after this melancholy event, Guli was born. Her father's zeal in the good cause had induced him to spend his money in its behalf as freely as his blood. He had served without pay, and had kept a mess-table for his officers at his private expense: so that when he died at three and twenty, his affairs were not a little out of order, and all the energy and prudence of Lady Springett were required to prevent them from falling into irretrievable ruin. This, however, was done; but other cares soon assailed the young widow. Her husband had fought and died for his religious opinions, and even before then he had inspired her with all his own religious fervor, which she, with her woman's nature, and in her lonely condition, soon allowed to overmaster all her other sentiments and thoughts. The details which she has left of the agony of heart, suffered during the first few years of her widowhood, are full of that solemn striving after a better life which may be accounted wisdom or madness, according to the point of view from which it is regarded. The distaste which she began to feel for the pleasures natural to her age, her contempt for dancing, frivolous music-meetings, gay parties in town or country, grew stronger every year; a widow at twenty, she had prematurely drained the cup of life, and had got to the lees ere the majority of her sex have begun to taste its flavor. Her sufferings during these years appears to have been real and poignant. At length she met with one, like herself, far out at sea, a wreck in hope, havenless and disconsolate. This was the famous Isaac Pennington. In the manuscript history of her life she herself relates the story:—"My love was drawn to him because I found he saw the deceits of all notions, and lay as one that refused to be com-

[1] Lady Springett's Autobiography, MS.

forted; so that he was sick and weary of all that appeared, and in this my heart clove to him, and a desire was in me to be serviceable to him in his desolate condition, for he was alone and miserable in the world—and I gave up much to be a companion to him in this his suffering." Some time after their marriage they found the comfort they were seeking in the system preached by George Fox, and of which William Penn had now become a distinguished champion.[1]

No wonder then that the graceful and intrepid youth should be a welcome visitor at Chalfont; no wonder that the fair Guli, herself become a Quaker, should smile graciously on her new suitor. "For having now arrived at a marriageable age"—says Thomas Ellwood, in his confessions, "and being in all respects a very desirable woman,—whether regard was had to her outward person, which wanted nothing to render her completely comely, or to the endowments of her mind, which were very extraordinary and highly obliging, or to her outward fortune, which was fair,—she was openly and secretly sought and solicited by many, and some of them of almost every rank and condition, good and bad, rich and poor, friend and foe, to whom, in their respective turns, (till *he* at length came for whom she was reserved,) she carried herself with so much evenness of temper, such courteous freedom, and carried with the strictest modesty, that as it gave encouragement to none, so neither did it administer any matter of offence, or any just cause of complaint to any."[2] This is magnanimous in a rejected suitor; but Ellwood had the consolation, that until Guli was actually married, he enjoyed more of her society than her future husband, for Penn had work to do in the world, and he was not the man to dangle about a woman's skirts.[3] Other circumstances favored his platonic love:—Isaac Pennington was confined for opinion's sake in Reading gaol.[4] Like other members of his sect, he passed a considerable part of his time in prison.[5]

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[1] The whole of this story of her second love is told with great simplicity and beauty by the fair autobiographer. [2] Ellwood's Memoirs, 210.

[3] The account of Ellwood's journey from Chalfont into Kent, in charge of his ladye love, whom he was escorting to her uncle Herbert's—the encounter with the dissolute soldiers by the way, and the struggle between his scruples as a Quaker, and his instincts as a man, when Guli was threatened with insult, is one of the most interesting passages in his confessions. See page 251 et seq.

[4] Pennington's Letters, (12mo, 1828,) Sept. 7, 1670.

[5] Ibid. pp. 13, 21, 28, 63, 227, 358, 371.

After the interment of his father, in which he was long busied, William Penn occupied himself for a time in preparing the elaborate account of his trial, to which we are indebted for many of the particulars already given, and in the regular offices of the ministry which he had assumed. In the latter capacity he travelled from city to city, from county to county, preaching the doctrines of George Fox, under the more elevated aspect in which his own learning enabled him to present them, disputing publicly and privately with all who refused to accept the gospel which he came to offer; and if the county of Buckingham seems to have been more favored by his presence and his labors at this period than other places farther north or south, the reader will admit that the young preacher had fair reasons for his frequent visits to the neighborhood.[1] A dispute with Jeremy Ives, at West Wycomb, at which his friend Ellwood was present, made rather a sensation. A Baptist preacher, as was common in those times, denounced the Quakers in general, and William Penn in particular, from his pulpit, whereupon a challenge was sent to publicly discuss their several doctrines. Ives, who could not refuse the challenge, feared, at the last moment, to confront his adversary, and sent his brother Jeremy instead. The controversy was not very decorously conducted. Ives, as the attacking party, spoke first, and as soon as he had done, he descended from the platform and quitted the room, hoping that the audience would follow his example; but they did not, all being anxious to hear Penn's defence. Ellwood, who expresses his dislike to all such displays, rarely having seen any good come out of them, says Penn gained a great advantage, —and at the close of the debate sent off to his anxious friends at the Grange, a dispatch in the following words:

> Prævaluit veritas; inimica terga dedêre;
> Nos sumus in tuto; laus tribuenda Deo.

which, for the benefit of Guli, he translated into the worthy doggrel:

> Truth hath prevailed; the enemy did fly;
> We are in safety; praise to God on high.[2]

While residing at this time in Bucks, the tenets of the Roman Church occupied much of Penn's attention; and now it

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[1] Besse, 36.

[2] Ellwood's Memoirs, 272.

was, in his twenty-sixth year, and many years previous to the accession of James, that he first published his thoughts on the Catholic question. In this "Caveat against Popery" he attempts to refute what is peculiar in the doctrines of that Church; but he makes a large distinction between Catholics and Catholicism, a distinction rarely made either in the laws or in the public sentiment of that age, and too seldom made even in our own. While he denounced the creed as contrary to reason and Scripture, to conscience and human liberty, he pleaded powerfully for toleration to the man. Toleration to doctrines which he was forced in his conscience to condemn! Here was a new and startling theory. Few were then prepared to understand it; fewer still to admit and act upon it; but it was a true theory nevertheless; slowly but certainly it made its way; and more than a century and a half after it was promulgated by William Penn, it has been in our own time solemnly ratified in the legislature.[1]

These writings, in which the young controversialist expressed his opinions in the strongest language he could find, sparing neither doctrine nor person where they appeared to him to be false and weak, brought him a host of enemies. His exposure of the infamous conduct of the city magistrates on the late trial, and the condemnation of their mode of dealing out justice pronounced in the Court of Common Pleas, was rankling deeply in their hearts. The admiral being dead, and the court influence which had formerly been wielded in his behalf being supposed at an end in consequence of that event, these magistrates now determined to make him feel the effects of their anger. Their plot was pretty certain to succeed; as it was then a punishable offence to refuse the oath of allegiance when offered by a magistrate, and as the Quaker could not take an oath of any kind, it was only necessary to seize his person and make the offer in order legally to commit. But then to mask the evil animus, the arrest must be on other grounds; so they chose to consider the Quakers' meeting in Wheeler Street, which he was known to attend, as an illegal meeting; though they were determined this time not to trust to a jury for a verdict on the point. The baseness of their intention was equalled by the baseness with which they sought

[1] Penn's Works, folio edition, i. 467.

to realize it. They set spies upon his actions, who reported to them his comings and goings, his sayings and doings. They not only contrived to learn which were his daily haunts; but often in the morning they were aware how he intended to bestow his time during the day. Agents from the city were consequently always about his heels; and as he feared no evil, and had nothing to conceal, the plot soon took effect. Shortly after his return from Bucks, he went to Wheeler Street as usual, to perform divine service after the manner of his sect, when a sergeant and piquet of soldiers entered the room, and as soon as he got up to address the people, pulled him down and dragged him into the street, where a constable and his assistants being in readiness, they conducted him like a state criminal to the Tower, placed him in a dungeon, left a military guard at the door, and then despatched a message to call the worthy conspirators together. After a lapse of three or four hours Penn was called before them.[1]

Sir John Robinson, Lieutenant of the Tower, a fellow who had fawned upon the late admiral in his days of power, was in the chair; Sir Thomas Starling, Sir John Sheldon, and a few others were present; but the public were rigorously excluded from the examination. Part of the dialogue that ensued is preserved:

Sir John Robinson: What is this person's name?

Constable: Mr. Penn, sir.

Robinson: Is your name Penn?

Penn: Dost thou not know me?

Robinson: I don't know you. I don't desire to know such as you.

Penn: If not, why didst thou send for me hither?

Robinson: Is that your name, sir?

Penn: Yes, yes, my name is Penn. I am not ashamed of my name.

Robinson: Constable, where did you find him?

Constable: At Wheeler Street, at a meeting; speaking to the people.

Robinson: You mean, he was speaking at an unlawful assembly.

Constable: I don't know indeed, sir: he was there, and he was speaking.

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[1] Besse, 36, 37.

Robinson: Give them their oaths.

Penn: Hold, don't swear the men; there is no need of it. I freely acknowledge I was in Wheeler Street, and that I spoke to an assembly of people there.

Robinson: He confesses it.

Penn: I do so. I am not ashamed of my testimony.

Robinson: No matter. Give them their oaths. . . . Mr. Penn, you know the law better than I do, and you know these things are contrary to law.

Penn: If thou believest me to know the law better than thyself, hear me, for I know no law I have transgressed. . . Now I am probably to be tried by the late Act against Conventicles; I conceive it doth not reach me.

Robinson: No, sir. I shall not proceed upon that law.

He then named the Oxford Act; but in a moment Penn showed him that the law so called could not apply to him. The conspirators thus driven to their kennell, brought out the oath of allegiance, and Sir John cried out abruptly and angrily, "Wilt thou take the oath?" "This is not to the purpose," replied Penn, who was in the midst of an ingenious protest against their endeavor to apply to his case fragments of different and dissimilar laws. "Read him the oath," shouted the lieutenant. Of course, Penn refused to subscribe it; alleging as his reason, that his conscience forbade him to take up arms at all, much more against his sovereign.

Robinson: I am sorry you put me upon this severity. It is no pleasant work to me.

Penn: These are but words. It is manifest that this is a *prepense malice.* Thou hast several times laid the meetings for me, and this day particularly.

Robinson: No. I profess I could not tell you would be there.

Penn: Thine own corporal told me that you had intelligence at the Tower, that I should be at Wheeler Street to-day, almost as soon as I knew it myself. This is disingenuous and partial. I never gave thee occasion for such unkindness.

Robinson: I knew no such thing; but if I had, I confess I should have sent for thee.

Penn: That confession might have been spared. I do heartily believe it.

Robinson: I vow, Mr. Penn, I am sorry for you. You are

an ingenious gentleman, all the world must allow that; and you have a plentiful estate. Why should you render yourself unhappy by associating with such simple people?

Penn: I confess I have made it my choice to relinquish the company of those that are ingeniously wicked, to converse with those who are more honestly simple.

Robinson: I wish thee wiser.

Penn: I wish thee better.

Robinson: You have been as bad as other folks.

Penn: When and where? I charge thee tell the company to my face.

Robinson: Abroad—and at home, too.

Sir John Sheldon: No, no, Sir John. That's too much.

Penn: I make this bold challenge to all men, justly to accuse me with ever having heard me swear, utter a curse, or speak one obscene word—much less that I make it my practice . . . Thy words shall be my burden, and I trample thy slander under my feet.

Robinson: Well, Mr. Penn, I have no ill-will towards you. Your father was my friend, and I have a great deal of kindness for you.

Penn: Thou hast an ill way of expressing it. . . . .

Robinson: Well, I must send you to Newgate for six months, and when they are expired you will come out.

Penn: Is that all? Thou well knowest a longer imprisonment has not daunted me. Alas, you mistake your interest; this is not the way to compass your ends.

Robinson: You bring yourself into trouble. You will be heading of parties, and drawing people after you.

Penn: Thou mistakest. There is no such way as this to render men remarkable.

Robinson: I wish your adhering to these things do not convert you to something at last.

Penn: I would have thee and all men know that I scorn that religion which is not worth suffering for, and able to sustain those that are afflicted for its sake. . . . Thy religion persecutes, mine forgives. I desire God to forgive you all that are concerned in my commitment, and I leave you all in perfect charity.

Robinson: Send a corporal with a file of musqueteers with him.

Penn: No, no; send thy lacquey. I know the way to Newgate.[1]

The matter did not end here. In his orthodox zeal the lieutenant of the Tower threatened to pull down the meeting-house in Wheeler Street, as he had already done one or two others in the neighborhood of London.[2] The property belonged to Gilbert Latye, a wealthy citizen, and a member of the new society; but as soon as he heard of this design, he sub-let it to a man of straw, and set Sir John at defiance.[3]

During the whole of this long period of six months, Penn was busily employed in writing, and as the results of this labor, not less than four important treatises came from his hand: 1. The Great Case of Liberty of Conscience. 2 Truth Rescued from Imposture. 3. A Postscript to Truth Exalted. 4. An Apology for the Quakers. Three of these works are of considerable length; and one of them, "The Great Case of Liberty of Conscience once more briefly debated and defended," is not only in itself a noble piece of composition, but from the nature of its subject, one which ought to be familiar to every Englishman. Besides these larger works, the prisoner wrote numerous letters on public and private business. The young lady of Chalfont, from whom he had so lately parted, would naturally occupy not a few of his thoughts; but the cause in which they were jointly embarked had the first claims on his services. Besides long letters written to a Catholic, who had taken offence at his "Caveat against Popery," and to the sheriffs of London, on the state of Newgate, and the abuses practised by the gaolers on such as either could not, or from scruples of conscience would not, buy their favors; he wrote a dignified and temperate letter to the High Court of Parliament, then known to be contemplating a more rigorous enforcement of the act against conventicles, explaining the principles of his body, as far as civil and political affairs are concerned, so as to prove that the freedom they claimed was in no way dangerous to the State.[4] But the House of Commons was in a sullen mood. Charles had recently issued a declaration of indulgence to tender consciences, in consequence of which a great number of religious sectaries, including not less than five hundred Quakers, had been set at liberty;[5] and

[1] Besse, 40. [2] Life of Latye, 71. [3] Ibid. 76.
[4] Besse, 43. All these writings will be found in the folio edition of his works. [5] Ibid. 44.

although it was probably not even suspected at that time that the King had secretly declared himself a Papist, and had undertaken for a large sum of money to openly announce the fact, and give encouragement to the public performance of the Catholic ritual,[1] the jealousy of the Commons was aroused on the legal right of the King to send out such an edict, without first asking and obtaining the consent of Parliament.[2] Other causes strengthened the ill-feeling of the House towards the Court. In one of the money debates, a member proposed to tax the theatres; this was resisted by the courtiers, on the ground that the theatres contributed to his Majesty's pleasures; on which Coventry asked whether his Majesty's pleasures lay among the men or the women players. The sarcasm was bitterly resented at Whitehall. Hired ruffians were set upon Coventry in the street, at night, who disfigured his face, and otherwise ill-treated him.[3] The House took the matter up warmly; Charles abandoned his agents, and the bill, to spite him by fresh persecutions for opinion's sake, passed the House on the first and second readings, and was only prevented from becoming law by a dispute about privilege. Penn's arguments had no effect in this quarter.[4]

When his term of imprisonment was up, he went abroad for a time: at first into Holland, and afterwards into Germany, in both of which countries he carried on the work of the ministry, and made some converts to his opinions.[5] Embden was one of the cities where he seems to have made a great impression. The first meeting was held in the house of Dr. Haesbert, who was deeply struck with the new doctrines proposed by the English missionary, and after giving the matter three months consideration, he openly embraced them, and was the first Quaker in that part of the continent. About twelve months later his wife joined the new sect, and a goodly meeting was in course of time formed in Embden which looked to William Penn with the feelings of a converted country to the apostle

[1] See the account in Dalrymple, ii. 62 et seq.

[2] Com. Jour., February and March.

[3] Andrew Marvell, i. 413. The Duke of Monmouth was at the bottom of this affair. A few nights later, Monmouth, Albemarle, and a number of other roysterers set upon the watch, and murdered the beadle. To save his son, the King pardoned all the murderers. Marvell describes the indignation of the people—the crime and the pardon appearing to them almost equally atrocious.

[4] Journals of the House of Commons, February 21 to March 11.

[5] Besse, 43.

of its conversion.[1] In the days of persecution which soon came upon them—when the members of the new sect were flogged in public, cast into loathsome dungeons, fed on bread and water, mulcted in heavy fines, and even banished from their native land—his voice was ever raised in their defence and his influence used for their protection.[2] The most curious passage of this continental journey was, however, a visit which he paid to the settlement of the sect of De Labadie, at Herwerden in the Rhineland.[3]

De Labadie had been a Jesuit, but not finding peace of mind in the formalities of the faith in which he had been trained, he deserted his order and joined one of the French Protestant churches. These, however, proved as inefficacious as the other; and in their turn he seceded from them; even the iron Calvinism of Geneva did not satisfy his ardent mind, so he withdrew from all communion with the dead and formal churches of this world. Having found two disciples, Pastor Ivon and Du Lignon, he removed into the Dutch republic, where alone at that time toleration for religious opinions could be found; and began to declaim so loudly against the corruptions and apostacies of the priests and people there, that the clergy stirred up the civil magistrates against him; but the ex-Jesuit had already placed himself under the protection of several great and powerful ladies, particularly of the Princess Elizabeth of the Rhine, who sheltered him in the hour of need. At Herwerden, the court of the princess, he founded a sort of lay convent; and it was here that Penn, who was warmly received by her highness as an Englishman of distinction, paid him the first visit. He talked with the new apostle, but whether from a fear of introducing a fresh doctor to his followers, or for some other reason, De Labadie absolutely refused to allow Penn to converse with or even to see any of his flock. A few years later, he was more fortunate in this respect; but the impression left upon his mind by De Labadie's conversation was not favorable to that individual: "I saw the airiness and unstableness of the man's spirit, and that a sect-master was his

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[1] Travels into Germany and Holland, i. 96.

[2] Penn's letter to the Senate of Embden. Works, i. 609.

[3] Travels into Germany and Holland, i. 59. Penn wrote this account of his journey for the use of his family only; but copies of it having got into the hands of several pious persons, it was found several years after it was written among the Countess of Conway's papers, and was then published.

name." The pious princess having seen some reason to be dissatisfied with her charge, De Labadie removed, with his two disciples, to the mansion-house of the Somerdykes, near Wiewart in the north of Holland. The Somerdykes were a noble Dutch family chiefly residing at the Hague; but three of the daughters, being struck with the preaching of De Labadie, resolved to withdraw themselves from the world, and with their new pastors, the famous Anna Maria Schurmans and several other persons, retired to the old country house at Wiewart, where they were said to live in a style of great soberness and simplicity, worshipping God without regard to forms and doing such good as lay in their power in a quiet, unostentatious manner. Subsequently Penn saw and conversed with the several members of this little community, and was much edified by their discourses. He repaid their confidence by telling them the story of his own religious experiences, and after much converse parted from them in a sober and serious frame of mind.[1] There were at this time many other religious communities in Holland in which Penn took a deep interest—various sections of the great Puritan party of England, who had crossed over into that country at the return of the Stuarts, with the intention of ultimately migrating to the new world. To all these exiled sects, America was the land of promise, the subject of their daily talk and nightly dreams. Many shiploads of emigrants had already gone out; at religious meetings and in the domestic circle the glowing accounts sent by the adventurers of the perils of the sea-voyage, of the beauty and fertility of the new country, were read and re-read; and hardly a year passed by that did not witness the departure of a fresh band of these devout and sturdy founders of the great republic. The stories told by those who for a time were left behind of the trials from which they and their fellows had fled, of their unconquerable desire to found a free state in the depths of the wilderness, where every man should be able to worship God according to the dictates of conscience, of the dangers which their predecessors in the good work had encountered and overcome, of their own anxiety to follow them to their new home—all this was profoundly interesting to Penn, and served to revive the romantic dreams in which he had found comfort while at Oxford. Though his thoughts on this subject assumed

[1] Travels into Germany and Holland, i. 93.

as yet no distinct and practical shape, they became more and more fixed during this sad and melancholy tour on the land to which he saw the best men of his age endeavoring so earnestly to export themselves.[1] The original germ of Pennsylvania was evidently quickening into life.

After so long a separation, Penn was not unreasonably anxious to be near Guli Springett once again. Calling to see his mother at Wanstead on his way to London, he made a short stay in the capital, visiting old friends, and reporting the results of his journey, and then posted down to Bucks, where he was received by the people of the Grange with open arms, by Miss Springett as her affianced husband, and by Ellwood and the Penningtons as the champion of their faith. In their society he seems to have now passed a considerable time, dallying with the blissful days of courtship, and slowly making preparations for his marriage. He took a house in the first instance at Rickmansworth, about six miles from Chalfont, which being made ready for Guli's reception, the marriage rites were performed in the early spring of 1672, six or seven months after his liberation from Newgate, and husband and wife at once took up their residence in their new dwelling.[1]

Their honeymoon lasted long. The spring and summer came and went, but Penn still remained with his young and lovely wife at Rickmansworth; neither the flatteries of friends nor the attacks of foes could draw him away from his charming seclusion. During these summer months he neither wrote nor travelled; that very instinct of activity, that restless and aggressive spirit, which were the sources of nearly all his usefulness, were, so to say, touched with the wand of the enchantress and laid to rest. Since his expulsion from his father's house, he had never known so much repose of mind and body. Seeing him surrounded by all that makes domestic happiness complete—a charming home, a beautiful and loving wife, a plentiful estate, the prospect of a family, and a troop of attached and admiring friends,—those who knew him only at second hand imagined that the apostle of civil and religious liberty was now about to subside into the quiet country gentleman, more interested in cultivating his paternal acres, than

[1] He makes many references in after years to the "great weight and suffering" that lay on his spirit at this time. Ibid. i. 59.

[2] Besse, i. 44.

with the progress of an unpopular doctrine and the general enlightenment of mankind. But those who reasoned so, knew little of William Penn, and perhaps still less of the lady who had now become his wife. A few months given up to love, the first transports of a virtuous passion refined into the sober certainty of bliss,—Guli would herself have scorned the man who, through infirmity of purpose, could have allowed himself to sink into the mere sloth of the affections, who by his outward showing to the world would have represented her alliance as bringing weakness to his character instead of strength. Penn was not that man.

His interval of rest over, the preacher again resumed his work, travelling, disputing, writing, as he went along;[1] but it is not necessary to trace his daily fortunes in this part of his career; enough if the more important points and most characteristic incidents are preserved. In the journeys in which the next three years of his life were consumed he was often accompanied by Guli; but after the birth of her first son, whom she called Springett in affectionate remembrance of her father, he had to travel more and more frequently alone, or in the society of itinerant apostles like himself—George Fox, Robert Barclay, George Whitehead, and others. But besides these fatiguing labors, he wrote during this period no less than twenty-six books of controversy, some of them of considerable length and consummate ability; and two political works—the "Treatise on Oaths," and "England's present Interest considered," both of which display a rare acuteness of thought, a mind richly stored with classical and historical lore, and a profound respect for those heroes of our elder annals who succeeded in establishing the laws, charters, and constitutions which form the solid bases of our national rights and liberties.[2]

On looking back upon the history of that period, the inquirer is painfully struck with the un-English habits of mind prevailing in high places:—the utter laxity in all that related to moral conduct, the extreme severity in what had reference to opinion. The memoirs of the Count de Grammont and the journals of George Fox, give us the two sides of this melancholy picture—the courtesan raised to the palace by her

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[1] Besse, i. 44.

[2] All these works are contained in the folio edition, 2 vols.

vices, the good man sent by his very virtues to a gaol. But perhaps the most melancholy feature of the case, is the circumstance, evidenced by all the party writings of that time, that these striking contrasts appeared to those who saw and suffered under them as not unnatural! Between sect and sect there were few if any points of sympathy. Toleration was a thing unknown; and the severest persecutions known were such as arose out of the angry vindictiveness of sect against sect. Besse relates with a chuckle of delight that one of William Penn's opponents "vexed himself to death" over a trenchant attack from the young polemic.[1] Fox continually talks of turning over his foes to "the vengeance of the Lord." In the midst of all the floating fanaticism of the age, the Church held on her dignified and apathetic course. While her overmastering intolerance had the sanction of Court and Parliament, the dissenting sects indulged in a common feeling of hostility towards her; but the moment the iron grasp of persecution was removed, they fell to quarreling among themselves with even more bitterness of heart than they had ever before exhibited. Some part of this unamiable spirit may perhaps be not unfairly attributed to the general religious fervor of the times, the leaders of opinion feeling the need of keeping up a continual excitement among their followers; something also to the zeal of recent converts and the ambition inseparable from infant congregations: but when every reasonable allowance is made, there still remains an amount of spiritual intolerance which can hardly be realized in connection with the idea of pure aims and conscientious minds. William Penn stood almost alone as a religious and yet a tolerant man: but his tolerance was not that of the indifferent. He held it to be a serious thing to be wrong in matters of faith; but opinions not depending on the will so much as on the understanding, he thought it was the duty of society to instruct rather than to punish the erring. But having disarmed the civil magistrate of power to inflict penalties for opinion's sake, he reserved the free use of all the weapons of controversy, to wound, to incite, to correct the unbeliever. Like Milton, he felt that he was not bound to be polite to those whom he contended with in the arena; and although his invective was often happy and powerful, it was also at times coarse and

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[1] Besse, i. 41.

abrupt. The letter which he wrote to Louis Muggleton, was addressed to him—"False prophet and imposter."[1] A brief account of one of his controversies with the minister of a rival sect will convey a notion of the spirit in which the various dissenting bodies acted towards each other at that time.

Thomas Hicks, a Baptist preacher in London, finding his congregation diminish week after week, and knowing that most of the seceders had become listeners to the doctrines of George Fox, as delivered by Penn and Barclay, brought out a work in the form of a dialogue between a Christian and a Quaker, wherein each party was made to argue the merits of their respective creeds,—the point being to show that the Quaker was not a Christian. Of course the Christian had the best of the argument; for like a prudent controversialist, Mr. Hicks was careful not to let *his* Quaker advance any thing that could not be easily refuted; indeed, he made him talk such nonsense, that there was no merit in the victory.[2] Penn, disgusted at the trick, immediately rejoined with his "Christian Quaker and his Divine Testimony Vindicated,"[3] a work which contains a brief summary of the doctrines of the inner Light. Hicks replied by way of continuation to the former dialogue; if that can be called a reply which never once alludes to the work which it is issued to answer. Penn had not named Hicks in his book; Hicks now refused to name Penn. But the matter was not to end thus smoothly; determined not to let his opponent have the last word—which in controversy is like leaving the field of battle to the enemy in war—the young Quaker sent forth a sharp and stinging attack under the title of "Reason against Railing and Truth against Fiction."[4] Smarting under the sarcasm and vehement abuse of this work, the Baptist wrote a second continuation of his dialogue, to which Penn made answer in "The Counterfeit Christian Detected,"[5] a work disfigured by as much violence as any thing in the pages of Milton, but which had the merit of fulfilling the intention of its writer:—Thomas Hicks was completely silenced.[6] The Quakers, now on the vantage ground, were not yet satisfied with their victory.

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[1] Works, i. 45.
[2] Besse, 46.
[3] Collected Works, i. 521
[4] Ibid. ii. 498.
[5] Collected Works, ii. 560.
[6] Besse, 46, Penn's Works, i. 521; ii. 498 et seq.

Pressing their fallen foe, they appealed to the whole body of the Baptists against him, and made out such a case as compelled the leaders of that sect to call him to a public account of his conduct.—A meeting was accordingly appointed to be held in the Barbican, at which the charges made by and against him might be heard and adjudged; but Kiffin and other of his friends contrived to fix the meeting for a day when Penn and George Whitehead were in the country, and too far away to be sent for at a moment's notice.[1] The consequence was, that his own party being alone present, there was no proper accusation, the thing fell through, and a majority of voices declared the offender free from the charges made against him.[2]

On hearing of these transactions Penn hastened to London, where he found the matter a general subject of gossip. All the town was talking of himself and Hicks; and the triumph of the Baptist was discussed in every coffee-house in the city.[3] His first act was to write an account of the late proceedings to George Fox, then a prisoner in Worcester gaol.[4] Next he put forth a strong appeal to the public on the unfair character of the late assembly; and concluded by demanding a new meeting of the Baptists, in the Barbican or elsewhere, at which he promised to attend and make good his charges. For a time the body so addressed refused to comply with this request, on the plausible ground that a man who has been once acquitted in open trial ought not to be again arraigned on the same indictment; but the Quakers were not slow to seize hold of this refusal and ascribe it to fear, and the public growing more and more excited about it, they at length gave way and appointed a second meeting.[5]

When Penn, Keith, and others of their party, arrived at the meeting, they found a large and eager audience; but Hicks himself was not present. On inquiry being made, it was found that he had taken up his quarters at a neighboring alehouse, whence he had sent Ives, the old enemy of the Quakers, to get up a row in the meeting and bring the affair to a close; a task which he endeavored manfully but in vain to achieve.[6] The public was too strong to be put down. Not

[1] Penn to Fox, July 5, 1674, MS. [2] Thomas Ellwood's Memoirs, 307.
[3] Penn to Fox, July 5, 1674, MS. [4] Fox's Journal, 405.
[5] Ibid. 309. The Barbican Cheat Detected, by Thos. Rudyard, 4.
[6] Narrative of a Second Meeting, 9. Ellwood, 309.

less than six thousand persons, it is said, were present.[1] At first some of them were disposed to be riotous. "If Christ was the inner Light, where was his manhood?" cried a person from the body of the room, whereupon the audience, by shouts and clamors, compelled the Quakers to enter into an unexpected controversy on the point thus raised. How curious to think of a mob of six thousand persons, excited almost to the length of committing a breach of the peace on a subtlety like this! It was a scene worthy of a nation of Greeks. So long as the Quakers pressed towards the main object of the meeting—a consideration of the charges of slander, falsehood, and forgery against Hicks,—they kept up a scene of confusion which prevented any thing being done. Singularly enough, a discussion of doctrines was found to have more attractions for them than a scene of personal abuse and recrimination,—and Penn at last giving way to their humor, they subsided at once into silence, decorum, and good order.[2]

The debate was then opened on this point. The Quakers affirmed the inner Light to be the same thing as the life, spirit, seed, word, light, and other words of similar meaning and frequent occurrence in the sacred writings. It was confessed that these terms, so applied in Scripture, were any of them equivalent to the term Christ—the name, not of a person, but of an office or a principle. Penn and Barclay had declared, again and again, that the inner Light—the Conscience, is the particle of God which has been implanted in man, to warn him against sin and prepare him for salvation. In fact, they held this conscience to be an infallible guide; but the question then arose, if conscience be an infallible guide, what is the use, in the economy of God, for Jesus Christ? What is his office? The answer was—Christ and Conscience are identical. Then came the metaphysical subtlety: if Christ and Conscience be identical, what of Jesus? Christ was an office, or a principle; but Jesus of Nazareth was a man of flesh and blood. Are Christ and Jesus not identical? This, of course, could not be affirmed. To say that Christ and Jesus were not identical, would be a denial that Jesus was the Christ. How, then, was the man Jesus, the son of Mary, identical with Conscience, or the inner

[1] Penn's letter to George Fox, quoted in the text. [2] Sewell, ii. 232-4.

Light? This admission it was equally impossible to make, without creating an after difficulty. But how avoid the dilemma? The question was pressed upon the Quakers—Do you hold the manhood to be a part of Christ? That vast assembly waited in solemn silence for the answer. How it was given, is related in a letter from Penn to George Fox, part of which runs as follows:—

"The question was, 'If the manhood were a part of Christ?' To this we must either have answered nothing, or only a Scripture, or in the terms of the question, or as we did.

"If we had answered nothing, we had gratified the enemy, stumbled the moderate, and grieved friends.

"If a Scripture, it had been no way satisfactory; for the question, they would have said, was not about the text, but about the understanding of it; and they would have charged us with so wresting it to a mystical sense, as to shut out the person that appeared in the flesh; so that, if we had answered them in any of those Scriptures, they would have asked in all probability, What man do you mean? the spiritual and heavenly man? the new creature or creation? or that outward man, that was outwardly born of the Virgin in Palestine, and was there outwardly crucified? If we had said No, we had been lost. That they would have put a mystical construction on our words, if we had not answered them plainly, that is, by what we understand by the Scripture, rather than by the Scripture itself, I have cause to believe, because the same person that proposed the question, thus expounded, after the meeting, our belief in Christ, 'that he was born of a virgin, that is, of a virgin nature and spirit; crucified, that is, slain by sin in us; rose, that is, rose up to rule us, and the like,'—making the people believe, that we denied that person, that outwardly appeared, to be the true Christ.

"Further, if we had answered in the terms of the question, we had taken Christ into *parts*, whereas, I cried twice to them, 'Christ is not to be divided into parts.' But they still pressed the question, six thousand people, I believe, being present, and many of them were desirous of an answer. Upon this, Friends consented that it should be answered them, 'that the manhood was a part of Christ.' But I feared the word *part*, and chose rather to say, that we believed the holy manhood to be a *member* of the Christ of God, and my reasons

for so doing were these: First, What needed we to grant more than was asked? Friends only desired to have us grant that the manhood was a part of Christ, in order to overthrow Hicks' attempts to prove us no Christians; and that was of so great moment in that solemn and great assembly, as tongue cannot utter. Secondly, Since we were willing to go no further in our confessions than they asked at our hands, this was my reason for rejecting the word *part* for *member*, to wit, that a body may be taken into members without breach of union, but not into parts. A member divides not: parts divide. Christ is called the head, that is, the most noble member, the Church the body, and particulars are styled members of that body. Now, calling these members *divides them not into parts.* Thirdly, I did not say, it was *but* a member, and I often repeated, that it was *of and belonging to Christ;* and in my confession at the close I said, that we believed in Christ, *both as he was the man Jesus, and God over all blessed forever.* And I am sure that Paul divides him more than we did (Rom. ix. 5), since he makes a distinction between Christ as God, and Christ as man."

The debate went on until it was quite dark. Penn then called for lights; but Kiffin and other Baptists represented that the doors having been broken by the crowd, and some of the seats torn out of their places, these things would need to be repaired before the morrow, and it would therefore be only proper to adjourn; and as so large an assembly was very unmanageable, they proposed that a deputation from each body should meet at an early day and settle the dispute. This proposal was accepted.[1]

By this time Penn had become not only the sword of the new sect, kept perpetually unsheathed to meet its enemies in battle, but his more comprehensive and sober mind had made itself felt even within the body of the faithful. Already he had obtained that influence which enabled him to restrain the madness of the few for the advantage of the many. Men's minds were so much unsettled, that no amount of fanaticism seemed surprising. Two ardent converts, fancying they felt a divine revelation to that effect, set off for Rome, to convert the Pope;[2] but they had not been long in the eternal city, ere

[1] Material Passages between Quakers and Baptists, 27-30.
[2] Gerard Croese, 271.

they were arrested as dangerous heretics and placed in confinement:—one of them, John Love, was sent to the Inquisition, where he died in a short time, with such aids as the Holy Office then made free use of for the suppression of heresy; the other, John Perrot, was sent to a hospital for the insane.[1] England, however, could not quite abandon her children in this way; (under Cromwell the Roman court would have been required to render a satisfactory account of Love;[2]) and after a good deal of interest had been made in his behalf, Perrot was set at liberty; on which he returned to his own country, where he soon gave his former friends so much annoyance that many of them could hardly help wishing him again in the Roman bedlam.[3] It was in the conduct of men like Perrot that the weak side of the New Christian Democracy came out. Soon after his return to England, he began to hold the doctrine, that even in prayer the hat should not be removed, except at the instance of the divine wish made manifest to the soul. This was felt by Penn to be a dangerous development of his own idea. Not uncover to God! It was not only absurd, but destroyed the argument on which his own refusal to unbonnet to the King had been justified. Mild but firm measures were taken with the innovator; but as usual with such men, Perrot refused to conform, and was expelled the society. Thereupon he published a pamphlet, called the "Spirit of The Hat,"—which Penn answered in "The Spirit of Alexander the Coppersmith." More pamphlets followed:—Penn, as usual, having the last word.[4]

Energetic as ever in all that concerned his beliefs, there are nevertheless very manifest traces of a mild and softening influence being at this time exercised over the polemic from Rickmansworth. Guli's family was increasing, and she now travelled much less with her husband than she had done, when her hands were free; but her gentle voice, and woman's counsel, went with him, to restrain his fierceness in the hour of conflict. His rebuke became milder, his form of abjuration somewhat less emphatic and severe. He was evidently growing a wiser and a more useful man. Living much at Rickmansworth, it was natural that the Penns should gradually

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[1] Fox's Journal, 242.
[2] See the case recorded by Limborch, Hist. Iquis. i. 214, 1731.
[3] Fox, 241. Memoirs of Richard Davies, 70.
[4] Penn's Works, ii. 189.

collect about themselves a circle of friends imbued with their own sentiments in reference to religion; and the neighborhood became so infected with the new doctrine, as to rouse the ire of the famous Richard Baxter, who in passing through the town was struck with the multitude of Quakers. Regarding these people as so many lost sheep, he tried to call them into his own fold. Penn and he agreed to meet and publicly discuss their several tenets. For many miles round the country was excited with the thought of a contest in which two of the foremost men in the religious world were to make a keen encounter of their wits; and on the day named, two large rooms were crammed with impatient listeners, including noblemen, knights of the shire, and clergymen of the Established Church. No report of this curious debate has come down to us; it is only known that the two speakers addressed the two audiences in turn, that the sitting lasted seven hours, and that both parties claimed the victory! no uncommon termination of public debates on questions of doctrine.[1]

The early part of the session of 1673 was occupied by the dispute of the House of Commons and the King as to the right to issue declarations of indulgence without consent of Parliament. The country was undoubtedly with the House on this question. The Church party looked upon the royal declaration as a direct provocative to Popery and Dissent. The popular party, looking only at the political issues of the dispute, could not but feel that if the King triumphed on this point, it would consecrate his pretension to suspend the civil as well as the ecclesiastical law whenever it suited his purposes. This would have been to lose all that the Revolution had won. They held the royal prerogative to be sufficiently well defined: it rested with him, as the dispenser of mercy, to pardon the violater of the law, but not to suspend its action for a single moment.[2] Even the Dissenters agreed, for the most part, with these latter reasoners; for the leading members of the House gave out their desire to afford protection to all Protestant sects in England, only that they wished to give that protection a legal character; and in the meantime it was necessary that

[1] Baxter's Memoirs, Part iii. 174. Besse in the Appendix to the Life of Penn, i. 167, 173.

[2] See the speeches of the King and his minister, Shaftesbury, in the Lords' Journals, xii. 523 et seq., and the debates in the House of Commons, February 7, and following days.

the declaration of indulgence which had been sent out on the sole authority of the crown, should be cancelled. These arguments prevailed. A large majority of the Commons declared that his Majesty had exceeded his powers.[1] Charles took time to consider his answer; and at last replied that his ancestors had exercised the power now in dispute. This the Commons denied; which denial the King received as an insult, and threatened to dissolve the House; but his more cautious and politic friend, Louis Quatorze, advised him to submit, in order to gain time until peace was finally concluded with Holland, when the troops then engaged on the continent could be used against his enemies in England—he himself also offering to supply him with money and forces from France sufficient to crush every attempt to resist his royal will. Charles adopted this patriotic counsel.[2] The very evening on which it was offered by Colbert, on behalf of his august master, the King sent for a copy of the declaration and tore it up in presence of his ministers. Next day this act of royal grace was made public; the two Houses of Parliament received the intelligence with loud shouts of satisfaction; and in the evening huge bonfires illumined the capital and testified the joy of the inhabitants.[3]

But this day of rejoicing was the beginning of years of bitter sorrow to a large and interesting class of Englishmen. The fires which lighted the eighth of March were hardly extinguished ere the Test Act, hurried through the Commons with most indecent haste, was sent up to the Peers, and in less than ten days one of the most disgraceful laws ever passed in England was added to the book of statutes.[4] Its authors professed to strike only at the Papists; and to prove their sincerity they introduced another bill for the relief of Nonconforming Protestants; but delay followed delay; the debates were adjourned from time to time; one clause after another was amended or struck out; and, in fact, prorogation overtook them before their work was finished, and the whole body of upright and conscientious Dissenters was left at the mercy of any petty tyrant who chose to rake up against them the old penal statutes.[5]

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[1] Journals of the House of Commons, Feb. 10.

[2] Dalrymple, ii. 93 et seq. [3] Ibid. ii. 96. Lords' Jour. xii. 549.

[4] Statutes, 25, Carolus II. c. 5. Com. Jour. Feb. 28. Mar. 12 Comp. Marvell, i. 494, 5. Dalrymple, ii. 90.

[5] The progress and abandonment of this measure may be traced in the

The Quakers were among the foremost sufferers.[1] At this juncture it was that Penn produced his work on "England's present Interest." Every line of this production seems written with an indignant hand; passion makes him eloquent and almost terse.—"There is no law under heaven, which has its rise from nature or grace, that forbids men to deal honestly and plainly with the greatest"—thus he begins; and addressing himself to those in authority, he proceeds to show how the old charters of liberty have been violated, adducing specific instances of each support of his assertions. He goes at great length into the origin of English liberties; particularly with a view to show that they are older in date than our religious establishment—were secured long before the birth of Luther or of Henry: "we were a free people," he says very finely, "by the creation of God and by the careful provision of our never-to-be-forgotten ancestors; so that our claim to these English privileges, rising higher than Protestantism, can never justly be invalidated on account of nonconformity to any tenet or fashion it may prescribe. This would be to lose by the Reformation."—His concluding advice to the ruling powers is—1, To conserve all the ancient rights and liberties of the people; 2, To grant entire freedom to opinion in matters of faith; and, 3, To endeavor to promote the growth of true and practical piety in the nation.[2]

The composition of this work kept Penn at home a considerable part of the year; but his attention was continually diverted from it to special cases of more than common hardship. The letters written by him at this period to magistrates, sheriffs, lieutenants of counties and others in behalf of individual sufferers, were very numerous.[3] These have a certain uniformity of style and matter, except where, as in the case of Justice Fleming, some peculiar interest attached to the man or the circumstances.

Justice Fleming had been an old friend of the Springetts; and some years previous to this date, had been particularly kind to Guli when she was on a visit at his house in West-

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Journals of the House of Lords, pp. 561, 584; and in the Parl. Hist. vol. iv. pp. 535, 575.

[1] Penn's letter to the King, i. 48.

[2] The entire work will repay perusal, i. 672.

[3] Only some of these are to be found in the collected edition (folio) of his works.

moreland. The letter of remonstrance written to him, on the receipt of some complaints of his having acted very harshly towards the Quakers in his magisterial capacity, is concluded in language of great courtliness and beauty. One can fancy Guli looking over Penn's shoulder as he wrote these words—"however differing I am from other men, *circa sacra*, and that world which, respecting men, may be said to begin when this ends, I know no religion that destroys courtesy, civility and kindness."[1] A noble and catholic avowal!

Penn had been five years absent from court; but the persecutions which now arose carried him again into the region of Whitehall. Mead and he went down to the palace with the secretary to the duchess, to plead for the liberation of George Fox, but when they arrived they found the house so full of people and the duke so busy, that the secretary could not obtain admission for himself. The deputation were about to withdraw very sadly, when Colonel Aston, of the duke's bed-chamber, seeing his old friend Penn, whom he had lost sight of for a long time, asked him into the drawing-room. Aston then went into the duke's closet; and James, hearing who it was, at once came out, saying how glad he was to see his ward again. He listened to the request about Fox with much courtesy,—and replied he was against all persecution for religion's sake. In his youth, he confessed, he had been warm against sectaries, because he thought they used their consciences only as a pretext to disturb the government; but he had considered better, and was now willing to do to others as he hoped to be done by. He wished all men were of that opinion; for he was sure no man was willing to be persecuted for his own belief. He would use his influence with the king. But where had Penn been, and why had he not called at the palace? He had promised the admiral to look after his son; but that son had never shown himself at court. He told him to come whenever he had any business in which his royal highness could be of any assistance; that he should always be pleased to see him; and would do his best to fulfill towards him all the duties of a guardian.[2]

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[1] Works, i. 157.

[2] Apology, Penn. Hist. Soc. Mem. iii. 2d part, 240-2.

CHAPTER V.

1673–1678.

THE BEGINNING OF THE END.

THE love of country, strong in nearly all men, was one of the most powerful sentiments of the English Puritan. But he had other and higher inspirations. His love of personal freedom—his claim to a free utterance for his thoughts—the determination to bend his knee only at the shrine which his conscience owned—these were instincts stronger in him than even the love of life. Not lightly or hastily did the real founders of empire in the New World turn their backs on the land which had given them birth. Years of accumulated wrong and insult were required to loosen their tenacious hold of the soil which had been ploughed and reaped by their Saxon forefathers; and when the cup of misery was full, they quitted the ports they were never more to behold again with blessings on their lips, and with their faces, like their hearts, still turned towards dear old England, departing more in sorrow than in anger.[1] In the days of peace and concord, now and then recurring in the most unsettled times, the tide of emigration had always ebbed out slowly; but now that the act of indulgence had been cancelled by the King, and the fury of persecution began to fill the gaols and stocks with victims, attention was again directed to the plan, already carried out in part, for founding a New Home beyond the seas, away from the old political and religious rivalries of Europe, for the persecuted of all creeds and nations.

To William Penn this idea had been more or less familiar from his boyhood; but it had haunted him as a romantic dream rather than possessed him like a fixed passion. At twelve years old the victories of his father in the West Indies had first tinged his fancy with the splendors of American scenery,—during the retirement of the family in Ireland, after the admiral's disgrace, the subject of buying an estate

[1] Mather, l. iii. c. 1. "Farewell, dear England!" was the parting expression of the Pilgrim Fathers.

in the New World had often been discussed in the social circle, —in his hour of excitement and disobedience at Oxford he had again turned to these earlier projects and laid out a new Oceanea or Utopia in his fancy among the islands of the archipelago or deep in the luxurious savannahs of the mainland —at the yearly meeting of his own religious society the settlement of Quakers in Jamaica, in New England, and on the Delaware, had been frequently discussed,[1] and the journey which he had still more recently made into Holland and Germany, had contributed to rouse and complete the gathering zeal of years. At Amsterdam, at Leyden, and in the cities of the Upper Rhine, his imagination had been excited by the perilous stories which he had heard from the relatives and friends of those who had bid adieu to Europe, crossed the Atlantic in their frail barks, and settled along the sea-board of the western world. The enthusiasm which these events had raised in his mind grew on him with years, and at length led him towards a practical trial of the Holy Experiment.

His first connection with the continent on which he was to build an enduring monument in the glorious form of a harbor of refuge for the oppressed of all nations, was in the affairs of New Jersey.[2] The reader will not need to be reminded that during the reign of Charles Second, many of the English colonies and conquests in America were given or sold away to private proprietors; and in accordance with the principle of misrule then prevailing, the King made over to his brother James, the Duke of York, the magnificent province of New Netherlands, stretching from the shores of the Delaware to Connecticut River, even before a single rood of the land had yet been wrested from the hands of the Dutch Colonists.[3] Two months before the conquest, James in his turn had granted to Lord Berkeley and Sir George Carteret, in equal shares, the region lying between the Hudson aud the Delaware. When the English forces took final possession of the country, the old names and boundaries were removed, and in honor of Sir George Carteret, late governor of the island of Jersey in the British Channel, the entire province received the appellation of New Jersey. As the object of nearly all the noble owners of these colonial estates was to wring as

[1] A colony of Quakers went out to Jamaica soon after the conquest of the island. Thurloe, vi. 834.

[2] Day's Pennsylvania Hist. Coll. 12. [3] Watson's Annals, 10.

much money out of them as possible, it was soon seen to be their private interest to offer such liberal concessions—or constitutions—as would attract that crowd of able, energetic, and wealthy persons, who, suffering under the penal statutes of the old country, were anxious to find in the new land a field of enterprise and a shelter from persecution. Without, therefore, being in their own persons the advocates of civil and religious liberty, these speculators not unfrequently established in their colonial possessions enlarged and liberal fundamental laws—the lust of gain doing in their case the work of patriotism and virtue! The two owners of New Jersey having offered concessions to settlers in this spirit, a number of Puritans already in New England set sail from the port of New Haven, with a view to establish themselves in the recently acquired territory, and having reached the Passaic, held a council there with the Indian tribes, changed the old name of the settlement to New Ark, and laid the foundations of a thoroughly democratic government.[1] Under their free and vigorous rule the province rapidly increased in prosperity; the English Quakers began to take an interest in its affairs, and a few of them went thither to settle. But Berkeley in a short time grew dissatisfied with his position; disputes about quit-rents and privileges arose; and the noble earl found his ease disturbed by the murmurs and remonstrances of the men into whose hands he had passed away the reins of government. These troubles made him anxious to sell his share in the province; and as George Fox had just returned from a visit to the English settlements in America,[2] the Quakers, on his report, opened a communication with Berkeley, who in the end agreed with one of their body, John Fenwick, agent and trustee of Edward Byllinge, for the sale of his share of the province for a thousand pounds.[3] Before any steps, however, had been taken to draw public attention to this new settlement as a field of colonial enterprise, a serious dispute arose between the agent and his principal as to their respective shares in the purchase: Fenwick, a litigious and troublesome person, as is evident from his letters,[1] contending that a certain allotment of the land should be made over to him and his heirs, to which Byllinge strenuously objected.

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[1] Watson's Annals, 7.
[2] Fox's Journal.
[3] Watson, 10.
[4] Harl. MSS. 7001.

This dispute was referred by common consent to William Penn. The letters still extant show that Fenwick was at first disposed to resist the award made by the arbitrator; but an earnest rebuke from Penn, in which he spoke in noble and affecting language of the meanness of such quarrels in face of the great interests they professed to have at heart, brought him to reason. "Thy grandchildren," said the expostulator to his grasping client, "may be in the other world before the land thou hast allotted will be employed."[1]

The parties, reconciled by these means, Fenwick, with his own family and a number of other Quaker emigrants, set sail in the ship *Griffith* for New Jersey. These adventurers ascended the Delaware a considerable distance, where finding a fertile and pleasant spot of ground, they landed their goods and chattels, and formed the germ of a settlement, calling their town Salem; for to their harrassed minds and bodies it seemed in truth a place of peace and rest.[2] Meantime Edward Byllinge, left behind in England, became deeply involved in his circumstances, and unable to meet the demands made on him, his creditors grew clamorous, and at length compelled him to surrender his property into the hands of trustees for their benefit. But although obliged to give up the management of his estate to others, his creditors, having appointed Gawen Laurie of London, and Nicholas Lucas of Hertford, as trustees in their own behalf, allowed him to name one of his own friends as a third trustee for the protection of his interests; and William Penn was the friend whom he solicited to perform for him this important office. At first he was not disposed to add so large a responsibility to those already weighing heavily on his time and thoughts; but on considering that the principal part of the estate to be administered was the New Jersey property, on which a number of Quakers and other exiles for conscience' sake had already settled, to whom his counsels would be serviceable, he consented to act.[3] No sooner had he acquired the power which his new position gave him, than a change of system was observed. Full of his old dreams of a model state, and fresh from the study of Harrington and More, he was not content to carry on the

[1] Harl. MSS. 7001, contains the correspondence, with Fenwick's notes.
[2] Watson's Annals, 11.
[3] The heads of the Quaker party kept up a regular correspondence with the colonists. Hazard's Penn. Reg. vi. 184 et seq.

government of the province as he found it, simply as a commercial venture, and without reference to the working out of great ideas. The lessons of Algernon Sidney had made a profound impression on the mind of the future lawgiver; and the constitution which his friend Locke had but a few years before formed for Carolina, was open to him both as an incitement and as a warning. These first attempts to lay the foundations of a free colony for all mankind, to quote his own words, were greatly obstructed by the fact of there being a joint-ownership of the soil, as even within the limits prescribed by law, the trustees of Edward Byllinge could only exercise a semi-sovereignty while Sir George Carteret remained a copartner. The object, then, which lay in front of every future effort for the good of the settlers, was such a division of the province, as should separate the share of Sir George from the rest; and this result was obtained by Penn after a troublesome negociation, on giving up the best half of the estate to the agents of the older proprietor, which henceforward was known as the province of East New Jersey,—that retained by the Quakers being called from its geographical position West New Jersey. By these names the two provinces were known for many years.[1]

This arrangement being completed and the trustees left with power to deal with West New Jersey, they began their operations by dividing the land, then a complete wilderness, into a a hundred lots, ten of which were made over to John Fenwick in lieu of all his claims for time, trouble and money expended in the transactions with Lord Berkeley, and the other ninety were put up on sale for the benefit of the creditors, whose material interests being so provided for, Penn acquired still greater power to carry out his own ideas in the great work of settling the fundamental laws. As yet the mind of the legislator was itself in the process of formation. The counsels of Harrington and the classic republicans still exercised a powerful influence over his conceptions; and it was not until some years later that his own genius—aided by Algernon Sidney—found its highest expression in the laws and charters of the great province which bears his name. The constitutions framed by the pilgrims who had sailed in the *Mayflower* were however the more immediate types of his first efforts as a states-

[1] Gordon's Hist. of Jersey.

man; he was too wise a man to trust so important a matter as the regulation of a new society to the mere suggestions of reason, unformed and unguided by experience, and he had been too assiduous a reader of the classic writers not to have learned to feel something of that Roman pride in free governments which so eminently distinguished his great friend and master.[1]

The outlines of the new constitution prepared for West New Jersey by William Penn may be given in a few words:—the rights of free worship were secured (this was always the first point with the Puritan emigrants)—the legislative power was given in a great measure to the people, who were to elect their representatives, not in the old way of acclamation, but by the ballot-box, every man of mature age and free from crime being an elector and eligible for election—the executive power was vested in ten commissioners, to be appointed by the general assembly—the office of interpreting the law and pronouncing verdicts was confided to the juries, as Penn had contended was the case in England by the ancient charters; and the judges, elected for only two years at the utmost and always removable, sat in the courts simply to assist the juries in arriving at a correct decision—the State was made to charge itself with the education of all orphan children, and no man was to be shut up in prison for debt; his estate having been seized for the benefit of his creditors, the unfortunate was encouraged to try again: by these simple provisions, and the laws which were to be enacted in accordance with the general principles so laid down, Penn believed he had laid a foundation for those who came after him to understand their liberties as men and as Christians, and by observing which they could never be brought into bondage except by their own consent—the whole power of the State being placed in charge of the people![2]

While engaged with these new and important duties, Penn removed his place of residence from the neighborhood of Rickmansworth, in Hertfordshire, to Worminghurst, in Sussex.[3] Less occupied at the moment with travelling and controversy than with the practical organization of states and the princi-

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[1] Letters to Algernon Sidney, 1679-1681. See chapters vi. and vii.

[2] See Smith's New Jersey, 528 et seq.

[3] Lady Springett's MS. Autobiography. She visited the Penns at Worminghurst in the autumn of 1676, and on the 30th of September had the remarkable dream referred to in a former note.

ples round which human societies form themselves, he required a home more free from interruption than his old house, which had gradually become the head-quarters and rendezvous of the Quaker body. To obtain this retirement, needed for sober and continued thought, he removed to Sussex, where in peaceful and profound tranquillity he worked out and perfected his scheme of government for West New Jersey. Guli's mother and father-in-law spent a portion of the summer and autumn of 1676 with them at their new house, and Isaac Pennington—the friend of Milton—possibly assisted in drawing up his relation's maiden constitution.[1]

As soon as this important document was finished, the trustees met together and resolved on its immediate publication in the shape of a public letter, which they signed and circulated in every part of the country, but more especially among the members of their own church. To the letter was added a description of the soil, air, climate, natural productions, and other features of the new settlements; and it is characteristic of Penn that he added a cautionary postscript to his countrymen against indulging, without sufficient cause, in the thought of seeking for a new home—of leaving their native land out of curiosity, from a love of change, or in the mere spirit of cupidity. Yet Worminghurst was soon besieged with applications for plots of land in the new Free Colony, and this testimony to the merits of his plan encouraged the legislator to renewed efforts. Two large companies were immediately formed to establish trade and promote emigration, one in Yorkshire, the other in Middlesex. The members of the Yorkshire company were chiefly creditors of Byllinge; and as a set-off against all their claims, they received from the trustees ten of the original hundred parts into which the province had been divided. By cancelling these debts the property was gradually retrieved from its embarrassments, and its managers acquired a greater freedom of action.[2]

The purchasers of these lands beginning at once to make preparations for the voyage, Penn's attention was drawn to the evident necessity which would arise for a governing body. Before there was as yet a people in West New Jersey, he saw that it was desirable to have an authority, legally constituted, to conduct the enterprise; and with this view he proposed to

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[1] Lady Springett's MS. Autobiography.

[2] Besse, 50.

institute a provisional government—himself selecting some of its members, Fenwick's party and the two companies nominating the others. This being agreed to, Thomas Olive and Daniel Wills were appointed to act as commissioners by the London company; Joseph Helmsly and Robert Stacey by the Yorkshire proprietors; Richard Guy was named on behalf of the former emigrants, and to these were added Benjamin Scott, John Kinsey and three others. These persons were to exercise the powers of the ten commissioners as defined in the fundamental laws until such time as a popular government, chosen in a legal and orderly way, could be organized, whereupon their functions were to cease.[1]

Since the sailing of the *Mayflower* no event had occurred of so much interest to the Republicans of England. William Penn took a great deal of pains in organizing the emigration, and engaged the good ship *Kent*, Gregory Marlow, master, to carry out the commissioners, their families and tenants, to the number of two hundred and thirty persons. The vessel was moored high up in the Thames; at the hour fixed for her departure the emigrants went on board accompanied by their friends; and the master was just on the point of weighing anchor, amid the tears and embraces of relatives about to part forever, when a light and gilded barge was seen rapidly gliding over the smooth waters towards them. Something in the appearance of the *Kent* had evidently attracted the attention of its luxurious occupants, for the boatmen, now seen to be attired in the royal livery, used their oars as if they had been ordered to come alongside. It was the King. In a few moments the graceful libertine called to ask the name of the ship and whither it was bound. On his question being answered, he asked if the emigrants were all Quakers, to which they answered yes, whereupon he gave them, as Clarkson says, his blessing,—and so the monarch and subjects parted,—he to continue his low amours and his viler hypocrisies, they to plant a new spiritual democracy in the wilderness of the west. Each to his work!

Two other vessels soon followed the *Kent;* one of them sailed from Hull with a body of emigrants from Yorkshire, the other from London freighted with a hundred and fourteen persons from the northern counties. When the new comers

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[1] Gordon's Hist. New Jersey.

arrived at their destination, Andros, the governor of New York, claimed jurisdiction over them and their territory, justifying his claim by reference to the feudal law and the colonial charters; but both parties fortunately were moderate in their tone, and while the question of rights was referred to the mother country, the Quakers entered into treaties with the aborigines for the purchase of their lands, and under a sail-cloth, set up in the forest of Burlington, began to assemble for public worship.[1] The native tribes came from their hunting-grounds to confer with these peaceful strangers, who carried purses in their hands to pay for what they required, instead of muskets to seize on it by force. "You are our brothers," said the Sachem chiefs, after hearing their proposals, "and we will live like brothers with you. We will have a broad path for you and us to walk in. If an Englishman falls asleep in this path, the Indian shall pass him by and say—he is an Englishman; he is asleep; let him alone. The path shall be plain. There shall not be in it a stump to hurt the feet."[2] Commenced under these promising auspices, West New Jersey soon exhibited an extraordinary degree of prosperity. Land was sold and cultivated. The Sachems remained on the whole friendly. The population multiplied in peace. Several deeply interesting letters written by the leaders of their party in England to these happy colonists are still extant, and from these it would be inferred that in a very few years West New Jersey had become a new Arcadia—that Penn had realized in practice the State which Sidney had conceived and Harrington had dreamed![3]

Having at length got these American affairs into a favorable state, Penn turned his thoughts towards the continent of Europe. He had many correspondents in Holland and on the Rhine: and in the cities formerly visited by him the congregations which had arisen implored him to return, if only for a brief season, and afford them once more the benefit of his wisdom and the example of his enthusiasm. Many members of the churches which he had raised abroad had fallen on evil tongues and evil days; some were suffering from the secret

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[1] When reminded that their charter gave them none of the liberties they claimed, they declared themselves free-born Englishmen, and appealed to the great charter of rights. Gordon's New Jersey, 47.

[2] Smith's New Jersey, 100.

[3] This correspondence is preserved in Hazard's Register.

hostility of their feudal lords; others were living under the shade of persecution in gaols and madhouses: all these men hoped for some consolation in his presence, and not a few were anxious to hear from his own lips of that New Land which he was said to be preparing beyond the sea, where it would not be a crime to worship God according to the dictates of conscience. To these he had now a message full of hope. Feeling a strong regard for the sedate and sober virtues of the German artisans, he was himself anxious to offer them an asylum in the province.[1] His friends at Herwerden also pressed him to pay them another visit; and the Princess Elizabeth especially urged her "affectionate friend" to come over to her court, now that his colonial concerns weighed less heavily on his time and cares.

All his preparations being made for this new journey, he left his family at Worminghurst, and proceeded to Harwich, where he found George Fox, Robert Barclay, and several other friends, awaiting his arrival.[2] Provided with a huge assortment of books and tracts, explanatory of Quaker doctrines, and printed in various languages, English, French, Dutch, and German,[3] they took their passage in a vessel which happened to be commanded by one of the admiral's former officers, who, out of affection for the son of his old patron, was particularly attentive to the comforts of his passengers, and even allowed them to convert his quarter-deck into a conventicle. When they came in sight of the Brill, Penn and Barclay, anxious to arrive at the town before nightfall, got into a small boat and pulled for shore; but before they could land, the sun had gone down,—the gates were closed,—and there being no houses at that time outside the fortified walls, they had to make their bed in a fisherman's boat.[4] Early next morning the passengers all landed at the Brill, and started immediately for Rotterdam, where they held large meetings of their Christian friends,—Penn speaking in Dutch, while the eloquence of George Fox, and other illiterate missionaries, had to be interpreted, word for word, by a native Quaker,[5]—"the Gospel was preached, the dead were raised, and the living were comforted," such was the

[1] Province of Pennsylvania, by Franz Pastorius (one of the original German emigrants). Penn. Hist. Soc. Mem. iv. 103.

[2] Travels into Germany and Holland, i. 52.

[3] Ibid i. 59.

[4] Fox, 433.

[5] Ibid.

ardent language in which Penn described the results of these gatherings of the newly-converted! Men's minds were at this time profoundly unsettled, and hyperbole is the natural language of enthusiasm. This visit of the three great apostles of Quakerism to Rotterdam, seems to have made a great sensation; scholars, merchants, government officers, and the general public, crowded every meeting to hear them preach, and the houses of the most noble and learned men in the city of Van der Werf and Erasmus, were thrown open to them freely.[1] They learned that meetings had been prepared for them in all the towns along their routes, and three Dutch converts, Claus, Arents, and Bocliffs came to them from Amsterdam, to conduct them on their way, in the name of the faithful congregations on the Zuyder Zee. At Leyden, and at Haarlem, where they held meetings and spread abroad a knowledge of their tenets, other deputies, from Alchmaer and Embden, met them with welcomes and invitations. Their journey through the country was like a prolonged ovation.[2] At Amsterdam they organized the scattered congregations of Quakers in Holland, and settled some of the nicer points of practical doctrine—such as the non-necessity for priest or magistrate, as a witness to the ceremony of marriage.[3] Another matter which came prominently before them, was the sufferings of their disciples for conscience' sake, in various countries, and more especially the case of certain inhabitants of Dantzic, which city then formed a part of the great Polish republic. The heroic John Sobieski, King of Poland, was at the time on a visit to Dantzic, and William Penn, trusting in the chivalric character of the prince, advised that a petition should be presented to him, in the name of the suffering citizens, briefly detailing their wrongs and their opinions, and asking at his hands the free right to worship God according to their faith. This petition he was desired to draw up, which he did in suitable and noble terms, quoting, most happily, a saying of King Stephen, one of Sobieski's most illustrious predecessors—"I am king of men, but not of consciences: king of bodies, not of souls," and making this the text of his powerful and yet courteous remonstrance.[4]

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[1] Travels into Germany and Holland, i. 52. [2] Fox, 334.
[3] Penn's Works, i. 53.
[4] See the Letter at length in his Coll. Works, i. 53.

Leaving George Fox at Amsterdam, Penn and Barclay continued their journey to Herwerden, where they were warmly welcomed by the Electress. This noble and pious woman, daughter of Frederick, Prince Palatine of the Rhine, and King of Bohemia, was the grand-daughter of our James the First, and consequently first cousin to the reigning King of England, and sister to Prince Rupert—the old rival and enemy of Admiral Penn.[1] Our interest in the friendly intercourse of the princess and her visitor, is considerably enhanced by a knowledge of this fact. The princess treated Penn with uniform courtesy and affection, from the moment of their first acquaintance to the day of her death: his gratitude and respect long survived its object; and in one of the subsequent editions of his "No Cross, No Crown," he incorporated her name with his noble list of benefactors and examples to mankind.[2] In his former visit to the court of Elizabeth, some years before, the missionary had made a deep impression, not only on her own mind, but likewise on that of her friend and companion, the Countess de Hornes. This had led to correspondence, and to the visits of other Quaker preachers, male and female, Dutch and English, particularly of Robert Barclay, the famous apologist, whose learning and moderation had enabled him to appeal with great effect to the ready intelligence of these accomplished women.[3]

Penn and Barclay stayed at the ordinary inn of the town, but visited the court daily, holding meetings and discoursing before her highness on the great principles of their creed. They dined at the common table of their hotel, where they met with many strangers, to whom they distributed books and tracts. One of these strangers, a young man, who had come in by the post-wagon from Bremen, was a student at the college of Duysburgh; and in the course of conversation he told them there was a "sober and seeking man, of great note in the city of Duysburgh," which information determined Penn to pay a visit to that place. The meetings at the palace were characteristic of the time; and the effect of their discourses on the audience seems to have been overpowering. When the last service drew to a close, Elizabeth

[1] Genealogies of the royal family.
[2] Collected Works, i. 430-1
[3] Elizabeth to Penn, May 2, 1677.

walked up to Penn, took him by the hand affectionately, and offering to lead him aside, began to speak of the sense she had of God's power and presence; but emotion choked her utterance, and she sobbed out—"I cannot speak to you, my heart is full!" In a gentle tone Penn whispered some few words of consolation in her ear. When she recovered the use of her voice, she pressed the missionaries to visit her again on their return from the Upper Rhine. Penn promised to do so if they found it possible. She then tried to detain them to sup with her that evening, which they at first refused; but the lady would not be denied this gratification, and they compromised the matter by having bread and wine served in the room in which their religious service had been held. "So we left them," says Penn, "in the love and peace of God, praying that they might be kept from the evil of this world."[1]

Early next morning Robert Barclay set out to join George Fox at Amsterdam, while William Penn and George Keith took their places in an open cart for Frankfort-on-the-Maine, to travel in this way a distance of two hundred miles. Pursuing their tedious journey through Paderborn, "a dark Popish city," and Cassel, where they were "tenderly received," obstructed by the heavy rains, bad roads, and their primitive vehicle, they arrived in Frankfort just a week after leaving Herwerden. About three miles from that famous city, they were met by two merchants who had come forth to welcome them and report the spiritual condition of their fellow-citizens, many of whom, they said, were prepared to receive the new faith. Doctors, lawyers, ministers of the Gospel, noble ladies, peasants and handworkers, crowded to hear the young preacher. One enthusiastic girl, in the true spirit of a martyr courting persecution, cried out—"It will never be well with us until persecution come, and some of us be lodged in the stadthouse,"—the prison. But with all his fervor, Penn did not neglect the temporal liberties and worldly interests of his people. The affairs of America was a topic of frequent and earnest conversation; and among those who took a deep interest in the preacher's scheme of colonization were Von Dewalle, Dr. Schütz, Franz Pastorius, and Daniel Behagel, all of whom emigrated in a few years.[2]

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[1] Travels into Germany and Holland, i. 63.

[2] Franz Pastorius, in Penn. Hist. Soc. Memoirs, iv. 101.

From the imperial city Penn addressed a long letter to "the Churches of Jesus throughout the world," in which he spoke the language of an apostle, exhorting the faithful to take up the cross boldly, to beware of the lust of the eye and the pride of life, to redeem the time, not vainly striving to heap the dross that perisheth, but content to do good, and be found useful in their day and generation.[1]

Continuing their tour slowly along the Upper Rhine, the travellers passed through Worms on the fifth day, and in the evening arrived at Kirchheim—a small town about six miles from Worms, in the territory of Pfalzgrave. At this obscure place the missionary made a most powerful impression upon his hearers. People came in from the surrounding country; and one of his meetings was attended by the governor, and by the chief minister of the Lutheran church from Worms. The fruits of this day's preaching are still visible in Pennsylvania. The home of which he told them beyond the seas, was hardly less welcome to the Protestant democrats of Kirchheim than that better home which he promised them beyond the skies. The hopes thrown out were readily received by these true lovers of freedom; the more ardent began to quit their country in search of vessels to convey them to this land of promise, the more cautious to make preparation, quietly and safely, for the intended journey. In the new country for which they sailed, in a few years, they won for themselves an imperishable reputation, as the first colonists from the old world who boldly declared it unlawful for Christian men to buy or to hold negro slaves![2]

But Penn seems to have been anxious to do something at once for the relief and protection of this little handful of true believers, and with this view went to Mannheim to consult with the Palatine and ascertain what encouragement that prince would afford to a colony of virtuous and industrious families, in the event of a considerable number being willing to remove into his territory,—as also to learn how they would stand in respect to their refusal to take oaths, bear arms, and pay ecclesiastical taxes. This idea was probably a mere suggestion of the moment; for on his arrival at Mannheim, finding the prince gone to Heidelberg, he contented himself with

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[1] Collected Works, i. 65.

[2] Bettle in the Penn. Hist. Soc. Memoirs, ii. 365.

writing a letter to his highness, and returned to Worms that evening by the river.[1]

From this place they dropped down the stream to Cologne, the rank Popery of which city, like that of its sister near the confluence of the Maine, alarmed and horrified them. Here they met their disciples at the house of a merchant, who at their departure furnished them with a letter of introduction to Dr. Mästricht of Duysburgh, which city they were now anxious to visit, not only on account of what the student had told them at Herwerden, but because they had been informed by the Princess Elizabeth that the young and beautiful Countess von Falchenstein und Bruch, whose father resided in that neighborhood, was seriously inclined.[2] Her they also wished to see. Even an apostle's heart is not without the romantic instincts![3]

Duysburgh, a Calvinistic city, lay in the territory of the Elector of Brandenburg. On their arrival they sought out Dr. Mästricht, and delivered their letter. He told them they were very fortunate in the time of their visit, as it being Sunday, the young Countess would have left her father's castle and crossed the river to Mulheim, where she would, as usual, spend the remainder of the day at the clergyman's house. He cautioned them, however, not to make themselves public—as much for the young lady's sake as for their own,—as her father, a coarse and rigorous person, was already very severely displeased with her on account of the serious turn of her mind. Thus warned, they set out on foot to trudge the six miles to Mulheim; but on their way they met with one Heinrich Schmidt, a schoolmaster, who informed them that the Countess had just returned, but undertook to let her know of their arrival in Duysburg. To him they gave a letter which they had obtained from Dr. Mästricht, and with this missile he departed, leaving them waiting by the orchard of the Graf for his return. In about an hour he came back, to say the Countess would be glad to see them, but knew not where she could do so, as her father kept so strict a hand over her. She rather inclined to think it would be best for them to cross the water and go to the house of her friend the clergyman. While they were talking, the Graf with his at-

[1] Penn to the Elector Palatine. Coll. works. i. 72.
[2] Elizabeth to Penn, September 14th, 1677.
[3] Travels in Germany and Holland, i. 78.

tendants came forth from the castle, and seeing persons in a foreign dress standing near the gate, sent one of his retinue to inquire who they were, what they wanted, and whither they were going. Before he could receive his answers, he walked up and put the same interrogatories in person. Penn replied, they were Englishmen come from Holland, and were going no farther than to his own town of Mulheim; on hearing which answer, one of the Graf's gentlemen went up to the strangers with a frown on his face, and asked them if they knew before whom they stood; and if they had not yet learned how to deport themselves before noblemen and in the presence of princes? Penn answered he was not aware of having been guilty of any disrespect or unseemly behavior. "Then why don't you take off your hats?" said one of them sharply. "Is it respectful to stand covered in the presence of the sovereign of the country?" The Quakers took no notice of the angry gesture with which this remark was accompanied, but replied civilly that it was their practice in their own country, before their own prince, who was a great king; that they uncovered to none but God. "Well then," said the petty prince, "get out of my dominions; you shall not go to my town." Penn tried to reason with the offended majesty of Mulheim; his only answer was to call a company of soldiers, to whom he gave orders to conduct them out of his territory, as if they had been the vilest vagabonds.[1]

It was now the dusk of evening, and they were alone in a strange land; for after conducting them to a thick forest, the soldiers returned to the castle and left them to find their own way back to Duysburg. The forest was three miles in length, and the roads being unknown to them and the night dark, it was only after wandering hither and thither, and with great toil and difficulty, that they contrived to escape from beneath its huge and sombre shadows. At length, however, they emerged into the open country, and soon found themselves under the walls of the city. Here a worse misfortune awaited them. It was near ten o'clock—and all the gates were shut! In vain they hailed the sentinels; in vain they implored admission; no city in the Elector's dominions was more strictly guarded that night. What made their case so bad was the fact that the town had no suburbs; not a single house or

[1] Penn to the Graf, September 3, 1677.

building stood beyond the fortifications. They were compelled therefore to lie down in an open field in search of such repose as they might find on the marshy ground of the Lower Rhine in September. At three in the morning they got up, stiff with cold, and walked about until five, comforting each other with the assurance that a great day for Germany was nigh at hand, "several places in that country being almost ripe for the harvest"—reflections very natural and consoling in their situation. Soon after the cathedral clock had struck five, the soldiers opened the gates, and the wanderers returned to their inn apparently none the worse for their night's adventures.[1]

At Duysburg they learned something more of the Graf von Falchenstein. Mästricht was "surprised with fear (the common disease of this country)," says Penn, when he heard of the rencontre. With the anxiety of a friend, he inquired minutely what had passed; and was greatly relieved when he found they had been prudent enough not to name the Countess. Men like Penn and Fox might smile at pain and persecution, but she was a young girl, with the weaknesses of woman, and in the power of a jealous tyrant.[2] For themselves he thought they had escaped pretty well, as the Graf usually amused himself by setting his dogs to worry, or his soldiers to beat persons who were found loitering about the castle as they had been; but the Englishman took another view of the case, and before he slept wrote and sent off to his grace a manly and indignant remonstrance.[3]

Penn failed in his efforts to see the young Countess; but he had the satisfaction to receive from her an affectionate message by the hand of her page. In return he wrote to her a long letter of spiritual consolation, for he had become deeply interested in her case, and his royal friend at Herwerden had told him that it would be of considerable use to her own family peace to have the two pastors of Mulheim disabused of some prejudices which they entertained against Quaker doctrines.[4] And so he departed.

Slowly dropping down the Rhine—proclaiming their double mission in all towns and preparing a way for future emigration—the travellers at length arrived at Amsterdam.[5] There

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[1] Travels into Germany and Holland, i. 80. [2] Ibid. i. 84.

[3] Penn to the Graf, September 3, 1677.

[4] Elizabeth to Penn, September 14th, 1677.

[5] The only curious event of this journey was the conversion of an "*attorney* to a living sense of the truth." Travels into Germany and Holland, 86.

they found that George Fox had gone to Harlingen, whither Penn followed him; and so they stayed in Holland and in the countries about the Elbe and the Lower Rhine until the winter set in, when they again returned to England, by way of Rotterdam and Harwich. On the passage home they encountered a violent storm. They were at sea three days and two nights; the rain fell in torrents; the hail beat heavily against their frail canvas; the wind set in dead against them; the vessel sprang a leak; and the most incessant labor at the pumps, night and day, could hardly keep the hold from filling. Great fear fell on the superstitious minds of the seamen; but on the peril passing away they soon resumed their usual wantonness of spirit,—very much to the horror and annoyance of the Quakers who were on board.[1]

Fox and other Quakers, when they landed at Harwich, proposed to hold a series of meetings in that town, and then going by Colchester and other places make their way slowly towards London. But Penn's thoughts were now with Guli and his young family at Worminghurst, and while his friends were willing to travel luxuriously in a cart bedded with straw, he mounted the best horse he could find and rode on his way.[2] Arriving at home after an absence of just a hundred days, he was delighted to find his wife and children in good health and spirits, and his gratitude broke forth in the simple and sublime language of the sacred writings.[3]

For three weeks he had remained at home in the bosom of his family, when the affairs of New Jersey again demanded his presence in London. Inquiries now crowded in upon him from every part of the country with respect to the new territory. Under his auspices, several shiploads of emigrants went out from Deal and from Hull; and although the management of the colony was only in part in his hands, yet such was the confidence reposed in his integrity and wisdom, that more than eight hundred persons of sober, industrious, and wealthy families had quitted England for the province during the few months which had elapsed since he undertook the task of its government. Under these multiplying labors his health began to fail; the anxiety of mind also weighed heavily upon his spirits; and all Guli's care was needed to prevent him

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[1] Penn's Travels, &c. i. 114; Fox's Journal, 454.
[2] Fox's Journal, 455. [3] Penn's Travels, i. 116.

from falling into a seriously low and listless mood.[1] His attention to colonial matters was not, however, interrupted by ill health; even during a short sojourn which he made in Buckinghamshire, a county for which he ever retained a peculiar fondness,[2] he allowed himself no relaxation from these important duties. These events were the successive stages by which the crowning act of his life was reached—the foundation of his own colony of Pennsylvania.

CHAPTER VI.

1678–1680.

ALGERNON SIDNEY.

At this period of his life Penn lived much in the world, and was received with distinction by nearly all sorts and conditions of men. His position was indeed an uncommon one. Standing aloof from all intrigues in that most intriguing of courts; taking no direct or personal part in politics; a candidate for no office; undesirous of any honor or emolument which courts can bestow; accustomed from his youth to mix freely and on equal terms with the best society; acquainted with all the leading spirits of the day, yet possessed by none of their eager ambition or devouring lust of pleasure; no man's rival in love, business, or gallantry,—his perfect neutrality as to the great objects of personal and party strife, secured to him a larger share of intercourse with leading men than perhaps any other individual of the time enjoyed. In the good graces of the King, and particularly favored by the Duke of York, it was easy for him to maintain a high standing with the wits, ministers, and favorites who daily thronged the galleries of Whitehall; while beyond that circle he enjoyed the confidence of men whom no royal blandishments could win. Not only was he intimate with the catholic Duke of Ormonde, and his equally noble sons, the Earl of Ossory and the Lord Arran, but also with the champion of Protestant

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[1] Penn to Margaret Fox, January 8, 1678. MS.

[2] Ibid. George Fox's daughter had been staying with the Penns, and bore this letter to her mother.

doctrine, the pious and the gentle Tillotson.[1] His genius and his virtues were equally appreciated by the Whig William Lord Russell, the Tory Lord Hyde, and the Republican Algernon Sidney.[2] Of other men with whom he lived on terms of greater or less intimacy at this time,—there were the Duke of Buckingham, the Earl of Shaftesbury, the Marquis of Halifax, the Earl of Sunderland, Lord Essex, Lord Churchill, and many other distinguished rakes, writers, courtiers, and members of parliament. Some surprise may be felt that a man of Penn's character—the leader of an unworldly and ascetic body of religious enthusiasts, should be found living in a state of easy intercourse with persons like George Villiers and Anthony Ashley Cooper. It must be recollected that his youth had been passed with court gallants, with wits and noble gentlemen. No harshness had ever mixed itself with his graver moods. Even at the time when he first changed his religious views, he had exhibited no morbid dislike to his old companions; he still retained his natural gaiety and sprightliness of manner; like his father, the admiral, he enjoyed a joke, and that he talked admirably we know on no less an authority than that of Swift.[3] If he appeared to avoid his early friends, it was not their persons which he disliked, but their vices aud frivolities. In his idea, a religious man need not shun the street, the drawing-room, the market-place; and he felt it was his duty as an individual to live in, if not of, the world. But he had greater objects in view in retaining that place in society which his birth and early fortunes had given him: some of these old and powerful friends were already inclined to adopt his views on the great subject of Toleration to Opinion: the Duke of Buckingham especially seemed disposed to support a more liberal policy in parliament; and Penn labored assiduously to induce him to devote his splendid talents and commanding influence to effect this great national reform.[4] Under his influence and advice the duke made more than one attempt to force the subject on the attention of an unwilling legislature; but the Church party was too wary to be surprised and too powerful to be overthrown at a single onset; and then a new face, a fresh whim, a fit of the spleen, would distract the ducal thoughts, and the

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[1] Tillotson Correspondence in Penn's Works, i. 127–9.
[2] Furly Correspondence, 84. [3] Swift's note to Burnet, iii. 140.
[4] Penn to a Friend. Clarkson, ii. 57.

great business fall into complete neglect. Sunderland, Halifax, and Cavendish wavered in opinion with the gusts of popular feeling, or changed their views as the events of the political world suggested to be prudent: in the Duke of York alone of those about the King's person Penn found a steadfast friend to Liberty of Conscience. No doubt personal interests, and even personal fears, had their share in producing this constancy of his royal highness; but his ward had no right to pry into his secret motives—and he had no means of judging of his ulterior designs. The prince invited his confidence by gracious words and acts of kindness: and Penn readily availed himself of the royal favor to obtain pardon for his non-conforming brethren when they fell under persecution, and to urge on the great work of securing an Act of Toleration from the House of Commons.[1]

But the family with which he at this time cherished the most intimate relations was that of Sidney. With the several members of this eminent and gifted race he lived on friendly terms. Though estranged from each other, they reposed confidence in him—appealed to his wisdom in their difficulties, and sometimes placed their interests under his care and guardianship.[2] Towards Henry Sidney—Earl of Romney under the Prince of Orange—a man somewhat younger than himself, he retained an affection which had commenced in early life, but which rather resembled the regard a strong character will sometimes contract for an amiable and petted child than arose out of any serious sympathy of manhood and its opinions.[3] To his brother Algernon he was at once a friend and a disciple.[4]

The difference between the two Sidneys was striking. Henry was nearly twenty years younger than his illustrious brother. He had seen but little of the best period of the Revolution, and had never known the purer and more moderate of its champions. Gifted by nature with a handsome face and a voluptuous imagination, he had easily taken up the courtly habits which he found in fashion when he entered life. While yet in his teens he was noted for his gallantries; and being handsome, amiable, and a rake, was of course a favorite

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[1] Phil. Friend, vi. 257. [2] Furly Correspondence, 84, 89, 95.

[3] Diary and Correspondence of Henry Sidney, Earl of Romney, ii. 194, &c. Penn. Hist. Soc. Mem. iv. 1.

[4] Sidney to Furly, April 13; August 19, &c.

with the ladies of his family.[1] Loose in his morals, and professing no political heresies, he made his way rapidly in a court where to cheat at cards and seduce your friend's wife were not thought inconsistent with the character of a man of honor.[2] In this school he was an apt scholar. Undaunted by ordinary difficulties, he set no limit to his pleasures, and the royal family itself did not escape the scandal of his amours. Appointed master of the horse to the Duchess of York, he was soon found to be engaged in a criminal intrigue with his royal mistress, mother of two of the future sovereigns of England.[3] A violent scene between the Duke and Duchess led to his banishment from the court.[4] When he returned he was a more cautious if not a wiser man. At his house, Penn was a frequent visitor; and there he met with his old Paris friend Robert Spencer—the son of Sidney's sister, Lady Dorothy, the Sacharissa of Waller's Poems—now Earl of Sunderland, and one of the most stirring intriguers of his day—and with other persons high in influence and office, whom it was his duty to see in relation to his private affairs or in the interests of the Quaker body. True, however, to his old weakness, Sidney could not refrain from making love to his nephew's wife;[5] the delinquents kept up a voluminous correspondence, and their amours were at this very time the common gossip of the French and English courts.[6]

Between such a man and his austere and noble brother there could be, and there was, no sympathy, and but little affection.[7] In his infancy, Algernon Sidney had been remarkable for his great wit and natural sweetness of disposition.[8] As he grew up to manhood, the Roman virtues of his soul had

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[1] Blencoe's Sidney Papers, 274. Devonshire letters in Lady Russel's Correspondence, 334.

[2] Grammont, 98, 99.

[3] Pepys, iii. 123. "The duchess is fallen in love with her new master of the horse, Harry Sidney." Nov. 17, 1665. At this time the royal brothers were *both* in love with Mrs. Stewart. Eugh! Ibid.

[4] The scandalous story is told at length in Grammont, 274 et seq.

[5] Lady Sunderland is said by Clarendon to be "as great a jade as ever lived." Autobiography, ii. 189. Evelyn describes her as one of the best of women, i. 653. How competent judges may disagree! The Princess Anne agreed with her grandfather. Letter to the Princess of Orange, March 20, 1688.

[6] Barillon, July, 1678.

[7] Dalrymple, i. 339. Barillon says of Algernon—"Il est fort mal avec son frère, qui est en Hollande."

[8] Collins' Sidney Papers, ii. 445.

been fostered by a liberal education and the influence of commanding events During the civil war he had distinguished himself by his wisdom in the council and by his valor in the field.[1] A sincere republican, he had opposed the designs of Cromwell with as ardent zeal as he had fought against the King; his country and his political convictions stood above all private regards, and he had no more thought of submitting to a military dictator than to an hereditary despot.[2] He disagreed with his fellow-officers as to the policy of Charles' trial and execution; being attached to the old forms of English judicial procedure, and satisfied moreover that his deposition and banishment would meet the ends of justice and sound policy better than the more violent course proposed.[3] But this prudent council was overruled by the more ardent spirits; when Algernon Sidney observed that by law no court could try the crowned King, and that that court could try no man, Cromwell replied—"I tell you, man, we will cut off his head with the crown upon it."[4] Thereupon he retired from the scene to his paternal residence at Penshurst; and being abroad at the Restoration,[5] remained in exile rather than unsay a single word of his stern and tried political faith. For seventeen years he remained abroad, during which time his friends made several efforts to obtain for him a pardon; but as he would concede nothing, and the Stuart princes were equally unyielding, the negociations failed as often as they were attempted. The utmost that could be drawn from him—though wasting away with privation and home-sickness—was a declaration to the effect that he was willing to submit to the King, since Parliament had done so, but that he could on no account regret what he had done, renounce any of his old opinions, or ask a pardon.[6] To those who would have had him distrust the instincts which made him a wanderer and a beggar in a foreign land, he said very finely and nobly—"I walk in the light God hath given me. If it be dim or uncertain, I must bear the penalty of my errors. I hope to do it with patience, and that no burden should be very grievous to me except sin and shame! God keep me from these evils, and in all things else dispose of me according to His pleasure."[7]

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[1] Journal of the Earl of Leicester. [2] Collins' Sidney Papers, i. 152.
[3] Blencoe's Sidney Papers. Appendix, with the note by Mackintosh.
[4] Sidney to his Father. Blencoe's Sidney Papers, 237.
[5] Letter to his father, in Blencoe.
[6] Blencoe's Sidney Papers, 233. [7] Blencoe, 163.

After an absence of seventeen years he was allowed to return to his father's death-bed. When he again appeared in society, Penn saw him frequently; and they had many opportunities of discussing his new schemes of colonization and his theories of colonial government. A man with Sidney's large views and ardent convictions could not long remain inactive. The old men of the Commonwealth—the remnants of the great Puritan party—Independents, Quakers, Brownists, and many others—looked up to him as their leader.[1] They were a vanquished body, but they had glorious traditions; and whether numerous or not in the country, they were unquestionably powerful in London.[2] Sidney never for a moment disguised his preference of a republic to a monarchy; but he was willing to lend his services to bring about any minor changes in the established government, in a liberal direction,—and the great object of the men with whom he now acted was to obtain an Act of Parliament giving Freedom to Conscience. The vanity of Buckingham was flattered with the thought of being at the head of this earnest body of reformers, but the acute agent of the King of France saw how completely he was swayed by the superior genius of Sidney.[3]

By the influence of these men an impression was soon produced on the two Houses of Parliament; and in the early part of 1678 there had arisen a more friendly feeling towards Non-conformers. The House of Commons no longer refused to hear the grievances of Dissenters; and Willam Penn having presented a petition to that body on behalf of the suffering Quakers,—against whom there existed no penal law, but who had been maliciously confounded with the followers of Rome in order to involve them in a common persecution,—a special committee was named to inquire into the alleged facts, and to see if it were not possible to relieve the great body of English Protestants from the penalties which had been legally imposed on Catholics. In March, William Penn was heard by this committee, when he spoke as follows :—

"GENTLEMEN,—If we ought to believe that it is our duty,

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[1] If Sidney were well informed, there were a million of Non-conformers at this time in England. Collins' Sidney Papers, 101.

[2] Barillon to Louis, December 5, 1680.

[3] Ibid. Dorothy Sidney to Lord Halifax, July 8, 19. Buckingham boasted to Barillon of his influence with the city and the Dissenters; by their means, he said, he could control the Government. Dalrymple i. 313.

according to the doctrine of the Apostle, to be always ready to give an account of the hope that is in us, to every sober and private inquirer, certainly much more ought we to hold ourselves obliged to declare with all readiness when called to it by so great an authority, what is *not* our hope; especially when our very safety is eminently concerned in so doing, and when we cannot decline this discrimination of ourselves from Papists without being conscious to ourselves of the guilt of our own sufferings, for so must every man needs be, who suffers mutely under another character than that which truly belongeth to him and his belief. That which gives me a more than ordinary right to speak at this time, and in this place, is the great abuse which I have received above any other of my profession; for of a long time I have not only been supposed a Papist, but a Seminary, a Jesuit, an emissary of Rome, and in pay from the Pope; a man dedicating my endeavors to the interest and advancements of that party. Nor hath this been the report of the rabble, but the jealousy and insinuation of persons otherwise sober and discreet. Nay, some zealous for the Protestant religion have been so far gone in this mistake, as not only to think ill of us, and to decline our conversation, but to take courage to themselves to prosecute us for a sort of concealed Papists; and the truth is, we have been as the wool-sacks and common whipping-stock of the kingdom: all laws have been let loose upon us, as if the design were not to reform, but destroy us; and this not for what we are, but for what we are not. It is hard that we must thus bear the stripes of another interest, and be their proxy in punishment. I would not be mistaken. I am far from thinking it fit that Papists should be whipped for their consciences, because I exclaim against the injustice of whipping Quakers for Papists. No: for though the hand, pretended to be lifted up against them, hath lighted heavily on us; yet we do not mean that any should take a fresh aim at them, or that they should come in our room; for we must give the liberty we ask; and cannot be false to our principles, though it were to relieve ourselves. We have good will to all men, and would have none suffer for a truly sober and conscientious dissent on any hand. And I humbly take leave to add, that those methods against persons so qualified do not seem to me to be convincing, or indeed adequate to the reason of mankind; but this I submit to your consideration. To conclude; I hope we shall be held

excused of the men of that (the Roman Catholic) profession in giving this distinguishing declaration, since it is not with design to expose them, but, first, to pay that regard we owe to the inquiry of this Committee, and in the next place, to relieve ourselves from the daily spoil and ruin which now attend and threaten many hundreds of families, by the execution of laws which (we humbly conceive) were never made against us."[1]

This speech contains a body of opinions rarely heard in those days of strife and bitterness; and never within the walls of Westminster Palace. To doubt the policy of using force with the Papist, was regarded in that age as something worse than treason. No other sect had yet attained to such liberality of sentiment. The Church was possessed by a rampant spirit of persecution; the Catholic never pretended to be tolerant in his own practice; and Puritans, Independents, Presbyterians, and Episcopalians had each appealed in turn to the sword, the stocks, the prison, and the whipping-post.[2] We give to others the liberty we ask for ourselves!—an extraordinary sentiment to avow in that age. The committee resolved to insert in the bill then before Parliament a clause providing relief to the complaining parties. In this amended form the bill passed the third reading in the lower House—was sent under promising auspices to the Peers—and the friends of toleration were already congratulating each other on their first victory over the common enemies of liberty, when, from an obscure and unexpected quarter, burst one of the most tremendous storms which have ever swept the political atmosphere of England; and in the general confusion Parliament was prorogued, and the bill of exemption lost for years.

Titus Oates had been a minister of the Church of England until his dissolute life caused him to be expelled from its communion. He had then joined the Roman Catholics,—entered the Jesuits' College at Valladolid, and afterwards removed to that of St. Omer's—from both of which, however, he was thrust out with indignity. In these renowned colleges he had heard many conversations on the prospects of Catholicism in England, and probably various suggestions for carrying on the supposed good work of its reconversion to the old faith. Out of the stock of materials thus obtained, an affluent imagination enabled him to work up the grotesque and horrible concoction

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[1] Besse, i. 118. [2] Foulis' Hist. of Plots, &c. 222.

known in history as the Popish Plot.[1] He said he had been trusted by the Jesuits in Spain and France with the conveyance of certain letters and papers,—that he had opened these documents out of idle curiosity, and so had become possessed of their dark and terrible secrets. England, he asserted, was about to be made the scene of a bloody drama. They intended to kill the king. William of Orange was marked for assassination. Even the Catholic Duke of York was not to be spared. The price of these crimes had already been paid. Every true Protestant was to be murdered. A French army was to land in Ireland to support the movement; and as soon as the reformed faith was fairly put down, the whole country was to be given up to the Jesuits.[2] What the real facts underlying these fables were, has never been discovered. That there was a foundation of truth in the plot is probable in itself—was believed by the calmest and wisest men of the time—and is necessary to explain the course of events. Algernon Sidney, than whom no man in that age had a more thorough knowledge of the Catholic courts, believed in the existence of a plot;[3] so did William Penn;[4] so did Sir William Temple.[5] The affair remains a mystery to this day.

The nation was unfortunately in a temper to receive with eagerness any monstrous story of intrigue and conspiracy. For some time past the fears of every good Protestant had been fed with rumors of the royal apostacy; and the only cordial friend of the reigning house, the King of France, was well known to be a bigoted and intolerant Catholic. Some vague idea had got abroad of the terms on which Louis supplied the court so lavishly with money.[6] Charles was suspected by many of a secret leaning towards the religion of his wife and his mistresses, and the Duke of York was an avowed and obstinate Catholic. Contrary to the wishes of Parliament, he had married an Italian and a Papist; should there be issue of this alliance, there was a well-grounded fear that a line of Catholic princes might succeed to the throne. The Protestant feeling

[1] A true and exact Narrative of the horrid Plot and Conspiracy of the Popish Party against the Life of his sacred Majesty, the Government, and the Protestant religion. London, 1678.

[2] Ibid.

[3] Sidney's Letters to Savile, 9 et seq.

[4] England's great interest in the choice of a new Parliament. Coll. Works, ii. 678.

[5] Temple, ii. 491.

[6] It is sickening to read the supplications base of Charles for money: always selling his country! Dalrymple, i. 320 et seq.

of the country was alarmed; and monstrous as was the story told by Oates, it found a willing and believing audience. Finding the trade of informer in vogue, Bedloe, Dangerfield, and other scoundrels, brought out newer and more astounding revelations.[1] The wiser people only laughed at these wretched impostors; but the affair of Coleman and the murder of Godfrey gave such a coloring to the charge, as convinced the country that some act of unimaginable atrocity had been in contemplation, and made it dangerous to express in public a doubt as to the existence of the great conspiracy. Leading men, seeing the uses to which a panic might be turned in aid of their private ambition, affected to give it entire credence; and the astute Earl of Shaftesbury, from the first hour of its birth, took the plot under his especial protection. Danby also favored it from political and personal motives. It wanted not the countenance of men high in rank and office: "Whether given us by the right or left hand of Providence matters not," said one deeply interested in its success.[2] It was a god-send to politicians; and because it served their purposes it was allowed to pursue its fearful course, though it sent a host of innocent men to the scaffold, and carried desolation into thousands of happy families.

Distrusting Danby and aware of the tendencies of court opinion, Penn and Sidney were anxious to have the pretended plot thoroughly sifted, probably expecting that some of the royal intrigues, and especially the secret articles of the treaty of Dover, might come to light in the course of inquiry. This was the general feeling of republicans. They knew that the king was closely connected with the Catholic movement and with the designs of the Jesuits; and had the truth come out at once, he would have lost his credit with the nation forever. Charles himself believed—to a greater extent perhaps than was actually the case—that the attack on Popery was in reality an attack on royalty.[3]

The Commonwealth men, a powerful party, at whose head Sidney and Penn now stood conspicuously before the world,[4] silently but actively prepared for the future. Foreseeing that

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[1] These narratives are collected into a volume, B. M.

[2] Settle. "A Narrative." Ibid.

[3] Barillon to Louis. Dalrymple, i. 288.

[4] Barillion tells his master that Penn and Sidney are "à la tête d'un forte grande parti." Dal. i. 282.

the intrigues of Danby and Montague would lead to a dissolution of Parliament, Algernon began to look about for a seat, and to prepare the constituencies for a more liberal and enlightened public polity. Penn himself could not so far renounce the opinions of his sect as to think of entering the House of Commons, but he was deeply concerned for the success of his friend and colleague. He took up his pen and wrote three most excellent addresses. One of them was to his own body of religionists. Fearing, in the general consternation, lest some might be led astray, he exhorted them not to be drawn out of their sober course, by rumors of plots and conspiracies, but to stand aloof, discharging their duties, in the perilous times which were at hand, as men and as Christians.[1] This done, he wrote an elaborate and masterly address to Protestants of every denomination on the existing crisis, and a brief tract, entitled "England's Great Interest in the Choice of a New Parliament;" the latter being more especially composed with a view to promote the choice of wise and liberal members at the approaching elections. In the first he reviewed the moral question. He began by showing the fallacy of vicarious virtue. If the people would be honestly governed, they must be honest themselves. Vice is the disease of which nations die. No just government ever perished—no unjust one ever long maintained its power. Virtue is the true life-principle of society. All history proves this; but although immorality is the great destroyer, a mistaken policy may be little inferior to it in mischief. Foremost among such errors is the attempt to interfere with the free course of thought. Act, not thought, is the subject of legal regulation. To denounce the mind's conception of such intangible but grand abstractions, as fate, freewill, election, and the like, is political insanity. Not less mischievous is the fallacy of measuring conduct by creeds. The true test of faith is practice. He who acts well, believes well. Morality is debased when tested from above. Virtue may be necessary to the state of grace, but grace is not indispensable to virtue. It is a grand mistake to disparage morality under pretence of looking to higher things. In this world there is nothing higher than goodness.—Such is the substance of a remarkable work, written by this profoundly religious man![2]

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[1] Coll. Works, i. 226. [2] Coll. Works, i. 223.

His other work was entirely political. In its composition he was probably assisted by Sidney. They were much together at this time; and Algernon was a frequent and a cherished guest at Worminghurst.[1] He begins—"All is at stake!" The crisis, he says, demands the utmost wisdom. The new Parliament will have the gravest duties:—to investigate the plot and punish its authors;[1] to impeach corrupt and arbitrary ministers of state; to detect and punish those representatives who had lately sold their services for money; to secure to Englishmen their ancient rights, by means of a bill to shorten the duration of parliaments; and finally, to ease Protestant Dissenters. Such a work as this requires bold and able men. He then sketches his ideal of a man for the crisis: Algernon Sidney evidently sitting for the picture. He should be able, learned, well-affected to liberty; one who will neither buy his seat nor sell his services; he must be free from the suspicion of ever having been a pensioner on court or minister; he should be a person of energy and industry, free from the vices and weaknesses of town gallants; a respecter of principles, but not of persons; fearful of evil, but courageous in good; a true Protestant; and above all, a man unconnected by office or favor with the court.[3] Such is the pith of this work—a work widely circulated at the time; but the moment was one eminently unfavorable to wise and sober thought. The nation was in a general ferment. From the hour of its birth the Popish plot had gathered strength. The court was torn by factions; and a well-merited impeachment for corrupt practices was hanging over the head of Lord Danby, First Minister of the Crown.[4]

In this posture of affairs the writs for a general election were issued. Deceived on so many sides, the nation was beside itself with excitement and apprehension, and persons of calm and philosophic views had little hope of obtaining the ear of the public; but Sidney was not a man to shrink in a good cause, even from the probabilities of a personal discomfiture. Once in the House of Commons, his party felt that his very name would be to them a tower of strength; and to

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[1] Sidney to Furley, August 9, 19, 1678.

[2] The wisest men felt the necessity of this course. Sir William Temple said of the plot—"It must of necessity be pursued as if it were true, whether it were true or not." Temple, ii. 491.

[3] Collected Works, ii. 681.

[4] Reresby, 67.

give weight to his counsels, as the organ of republican opinions, they resolved to bring him forward as a candidate for a county town. A large body of electors in Guildford having pledged themselves to return him for that important constituency, he formally offered himself for the suffrages of its inhabitants.[1]

Hitherto Penn had taken no personal part in politics. He had even refrained from using his own rights as an elector,—like many of his sect at the present day. It was repugnant to his habits, and his moral sense was offended at a scene of low corruption—the eating and drinking to excess, the revelries and disorders, the insolence of petty officials, the envy, malice, and all uncharitableness to which a popular election gave rise at that period.[2] But when the interests of his illustrious friend were at issue, all these scruples went for nothing. For him, and for his cause, he would have done much more than merely devote a few weeks to canvassing electors, making liberal speeches, and rendering his countrymen more and more familiar with the principles embodied in the ancient charters of liberty.

The position which Penn assumed at this period, as the political friend of Sidney, and co-leader with him of the republican party, was one eminently perilous to his worldly interests.[3] His account with the government was still unsettled. Neither the principal nor the interest of the large debts owing by the crown to the admiral, had been paid; and it was evident to all his friends that the final settlement of the claim would mainly depend on the favorable disposition of the royal brothers. It was obviously his interest therefore to stand well with the court. But how could this be possible so long as he acted with Algernon Sidney,—a man who had not only borne arms against the Stuarts, in his more ardent youth, but who in his riper manhood still avowed himself a partisan of the Commonwealth? To lie under the least suspicion of a leaning to the Republic, was enough to ruin any public man in that age,—even the moderate and sagacious Sir William Temple was hated because he was surmised to be too much of Sidney's way of thinking.[4] When his intention

[1] Penn to Sidney. Collins' Sidney Papers, i. 154.
[2] Henry Sidney's Diary and Correspondence, i. 117.
[3] Barillion Corresp. Dalrymple, i. 282.
[4] Birch MSS. 4297, P. M.

to stand for Guildford became known, the court prepared to oppose the candidature of the republican leader with all its influence;[1] but Penn, convinced that he was one of the noblest spirits his age had produced, paid no respect to this hostile demonstration, and boldly put in peril the chief part of his worldly fortune, rather than stand apart and see his friend defeated by a court intrigue.

As the day of election drew nigh, the court party became active. Colonel Dalmahoy was sent down to stand in its interest;[2] the mayor and the recorder of the town were bought or terrified; bribery, treating, intimidation, and all the baser practices of electioneering, were brought forth. Soldiers were discharged from the service on promising to vote for Dalmahoy. Non-residents were sought after and their votes taken. Paupers were made to tender votes for the court candidate. To make the Commonwealth men odious in the eyes of the mob, they were attacked with the foulest slanders:—Penn was accused of being a Jesuit, Sidney was branded as a regicide. For three weeks the town was a scene of indescribable confusion and disorder. Both parties feasted their supporters; the sternest political virtue in that age was held to be compatible with the amenities of cakes and ale.[3]

At length came the day of election. In spite of every thing which the court party had done to seduce or intimidate the electors, Sidney had promises of a majority of votes. Penn went with his friend to the hustings, and made a pointed and powerful speech to the assembled burgesses. The recorder could contain his wrath no longer. He shouted at the speaker that he was a Jesuit; but the coarse slander was received as a dull joke, and the people only laughed at their recorder instead of interrupting his intended victim. He then called for the New Testament and tendered him the oaths—well knowing that he would not take them—but Penn was the better lawyer of the two, and he quietly reminded him that the offer of an oath in such a place was contrary to law. At this rebuke he lost all patience, called for his myrmidons, and had him expelled the court by force.[4]

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[1] Sidney's Statement. Com. Jour. viii. 578.

[2] The Court took a formal part in all elections at this time. Letter Books in State Paper Office.

[3] Collins' Sidney Papers, i. 154.

[4] Sidney's Statement. Com. Jour. viii. 578.

This diversion came too late. Sidney had already secured a majority of suffrages. But having gone such lengths, and not daring to offend a sovereign who was in the constant habit of removing local officers and naming more pliant tools to fill their places[1]—the recorder refused to make out his return, on the plea that he was not a freeman of the borough, though he had formally offered himself at the Town Hall, for the purpose of being made, on the previous day,—and declared Dalmahoy duly elected.[2] Never was a more shameless transaction known. Of course, the liberals did not think of submitting to an act of such intolerable injustice. They held a conference of their friends on the afternoon of the election, at which it was resolved to petition against the return, and persons were appointed to watch the movements of the enemy and make reports. It was late in the evening when Penn parted with Sidney, but he had been from home some time, and was anxious about Guli and the children. As he rode along, his mind was deeply troubled at the scenes he had just witnessed—the profligacy and unfairness of the court-party, —the wanton indifference of so many electors to the great interests of the time,—the contumely and wrong heaped on his noble friend, because he and his party "had a conscientious regard for England:" it was almost enough to make him despair of the old country. When he got home he found his family in good health; but instead of giving himself up, as was usual with him after a short absence, to domestic intercourse, he retired to his chamber and wrote off to Sidney the following note:—

"Dear Friend,—I hope you got all well home, as I by God's goodness have done. I reflected upon the way, of things past at Guildford, and that which occurs to me as reasonable is this, that so soon as the articles or exceptions are digested, show them to Sergeant Maynard, and get his opinion of the matter. Sir Francis Winnington and Wallope have been used on these occasions too. Thou must have counsel before the Committee; and to advise first upon the reason of an address or petition with them, in my opinion, is not imprudent, but very fitting. If they say that (the conjuncture considered, thy qualifications and alliance, and his ungratefulness to the

[1] Sunderland Letter Book, 629, folio 132. S. P. O.
[2] Sidney's Statement. Com. Jour. viii. 578.

House,) they believe all may amount to an unfair election, then I offer to wait presently upon the Duke of Buckingham, Earl of Shaftesbury, Lord Essex, Lord Halifax, Lord Hollis, Lord Gray, and others, to use their utmost interest in reversing this business. This may be done in five days, and I was not willing to stay till I come, which will be with the first. Remember the non-residents on their side, as Legg and others. I left order with all our interest to bestir themselves, and watch, and transmit an account to thee daily. I bless God, I found all well at home. I hope the disappointment so strange (a hundred and forty poll-men as we thought last night considered) does not move thee. Thou, as thy friends, had a conscientious regard for England; and to be put aside by such base ways is really a suffering for righteousness. Thou hast embarked thyself with them that seek, and love, and choose the best things; and number is not weight with thee. I hope it is retrievable, for to me it looks not a fair and clear election. Forget not that soldiers were made free three weeks ago in prospect of that choice (and by the way they went, as we may guess, for Dalmahoy's sake), and thyself so often put by, a thing not refused to one of thy condition. Of the Lower House the Lord Cavendish, and especially Lord Russel, Sir Jo. Coventry, Powell, Saychevrill, Williams, Lee, Clergis, Boskowen, Titus, men, some able, some hot (ardent) and fit to be nearly engaged in the knowledge of these things. 'Tis late, I am weary, and hope to see thee quickly. Farewell.

"Thy faithful Friend,
"WILLIAM PENN."[1]

The petition was prepared and sent in to the House of Commons. All over the country the terror of the plot had spread, and never before had the constituencies of England returned so implacable and intolerant a parliament. Another crisis soon came on. Monmouth had been sent into banishment and his mother branded as a wanton.[2] These acts of the Catholic party added fuel to the flame:—and the House met in a most threatening mood. Its revenge was prompt. Danby was committed to the Tower. The Duke of York was banished the realm. The Whigs—as the party led by Shaftesbury and Russell may properly be called—were on the eve of a decisive

[1] Collins' Sidney Papers, i. 154.
[2] Ellis' Original Letters, iv. 64. Second series.

victory—when Charles again suddenly dissolved parliament and appealed to the nation.[1]

Sidney prepared to stand again, but not for Guildford. Penn rode about the southern counties, testing the feeling of constituencies, and advised him to try his new fortunes at Bramber. It was a town in his own county:—in Kent, the very name of Sidney bore with it an assurance of success. Besides this great advantage, Bramber lay not remote from Guli's property, and the Penns had family and other friendly connections in the neighborhood,—the Springetts, the Ellwoods, the Faggs, and the Temples, from all of whom they counted on support. Penn went to work with his usual zeal, and in a few days he had engaged all these families in Sidney's interest. He had even hopes of enlisting the Pelhams in the same cause, —though in a recent county election he had opposed that family in favor of Sir John Fagg.[2] As soon as the writs were out he went down to Bramber, and made it his head-quarters until the election was over. Alert and ardent, he soon communicated his own zeal to others, and with Sir John Fagg and Sir John Temple commenced an active canvass of the electors under most favorable auspices. When he spoke of the virtues and genius of Algernon Sidney, the borough kindled at his eloquence. From morning until night he was at work; he spared no exertion to secure success; he made interest in every house; and kept Algernon, who was still in London, informed of his progress. Two other candidates appeared in the field. Mr. Parsons and Captain Goreing; but they who knew the town best considered his return at the head of the poll as certain.[3]

In this emergency, the court, nervously anxious to keep the great republican out of parliament, had recourse to the vilest arts. Knowing the influence which the name of Sidney exercised in Kent, the Earl of Sunderland, Penn's old friend and fellow-traveller, now become minister to Charles, and the wily genius who directed every movement at the palace, resolved to oppose brother to brother—to array Sidney against Sidney. His uncle Henry was weak by nature—was politically opposed to his illustrious brother—and only too willing to please the

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[1] Temple, ii. 509, 512.

[2] Lady Sunderland to Henry Sidney. Diary and Corresp. i. 123. Collins' Sidney Papers, i. 155.

King at any price.[1] Recently he had received some proofs of royal favor, and had reason given him to hope for more. He had been graciously allowed to buy Godolphin's place of master of the robes for six thousand pounds;[2] and he had just been sent to Holland, as envoy extraordinary to the Prince of Orange, where he hoped to lay the foundations of a future fortune.[3] He could not quarrel with Whitehall, except at the peril of his worldly hopes; so he allowed his name to be used by his brother's enemies, and scandalised the family through the entire county.

When this design of contesting the election was first whispered at Bramber, Penn would not believe it. But he knew the danger, should the report prove true,—as its first effect would be to carry the Pelham interest to the other side. He felt that no time was now to be lost, and in this state of doubt as to the real quarter from which resistance would come, he wrote to urge Sidney to come down at once to the borough:—

"Dear Friend,—I am now at Sir John Fagg's, where I and my relations dined. I haved pressed the point with what diligence and force I could; and, to say true, Sir John Fagg has been a most zealous, and, he believes, a successful friend to thee. But, upon a serious consideration of the matter, it is agreed that thou comest down with all speed, but that thou takest Hall-Land in thy way, and bringest Sir John Pelham with thee,—which he ought less to scruple, because his having no interest can be no objection to his appearing with thee; the commonest civility that can be is all [that is] desired. The borough has kindled at thy name, and takes it well. If Sir John Temple may be credited, he assures me it is very likely. He is at work daily. Another, one Parsons, treats to-day, but for thee, as well as himself, and mostly makes his men for thee, and perhaps will be persuaded, if you two carry it not, to bequeath his interest to thee, and then Captain Goreing is thy colleague; and this I wish, both to make the thing easier and to prevent offence. Sir John Pelham sent me word, he heard that thy brother Henry Sidney would be proposed to that borough, or already was, and till he was sure of the con-

[1] Sunderland Corresp. Birch MSS. 4297.

[2] Blencoe's Sidney Papers, 86, where it is added—"the Lord Ranelagh, for the same sum (6000*l.*) paid to the Lord Sunderland, is made gentleman of the bed chamber in his place." Letters to Savile, June 19, 1679.

[3] Burnet, ii. 404.

trary, it would not decent for him to appear. Of that thou canst best inform him. That day you come to Bramber, Sir John Fagg will meet you both; and that night you may lie at Wiston, and then, when thou pleasest, with us at Worminghurst. Sir John Temple has that opinion of thy good reasons to persuade, as well as quality to influence the electors, that, with what is and will be done, the business will prosper; which, with my true good wishes that it may be so, is all at present from thy true Friend, WILLIAM PENN.

"Sir John Fagg salutes thee."[1]

As soon as he had despatched this missile, he wrote another letter to Pelham to protest against the scandal of Henry's name being used in his absence to the prejudice of Algernon, —and expressed his fears that this ungenerous act would lead to still greater feuds in the Sidney family. To this remonstrance Sir John Pelham paid little regard. Sunderland moved the wires at his will; and under the powerful influence of feasting and drinking—the Pelhams contributing half a fat buck to that end—when the day of election came, Henry obtained exactly as many votes as his brother, who nevertheless received the casting voice, and was declared duly and rightfully returned.[2] Penn now considered his friend as fairly about to take his seat in the House, where his counsels and his example might be of the most signal service to his country; and although few other republicans were returned, their party generally were satisfied with their leader being once more in parliament. But as soon as the House met, the return was annulled by an intrigue of the royalists, and their joy was turned into wrath and indignation. A second time elected of his countrymen, in spite of all the devotion of his friends, and never man had truer, Algernon Sidney was rejected![3]

This second disappointment seems to have made a still more profound and lasting impression on the mind of Penn. It almost drove the remembrance of Guildford from his thoughts. That a stranger like Dalmahoy should be found willing to take unfair advantages of an honest adversary,—that a petty

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[1] Collins' Sidney Papers, i. 155.

[2] Gilbert Spencer to Henry Sidney, i. 117.

[3] Spencer tells Henry—possibly to spare his feelings—that Algernon did not go to the poll. Diary and Corresp. i. 117. But the facts were as stated in the text. Sidney believed himself safe in his seat.—Letters to Savile. On the 14th December, Barillon wrote to inform Louis that he was elected.

official, whom the court could make or unmake at pleasure, should be eager to sully his own fame rather than risk the emoluments of his place—these were conceivable. But that a nephew and a brother—members of an illustrious house, and men whom he had himself known for years—should willingly lend themselves to serve the purposes of a base cabal, to the scandal of the county and the dishonor of their own blood: this appeared to him inconceivable. When the nearest relatives of Algernon Sidney would not pause at such an act of baseness, what was left for virtue and integrity but to flee away from a land so cursed as England!

His regard was now turned more and more steadily towards America. He had made one great struggle more at home,—and it had failed. But he did not despair of Freedom. Experience had convinced him that in the new world alone was there room enough for that great trial of a free Democracy which formed so prominent a feature of Sidney's conversation. That in an open field, the experiment of a Commonwealth, in which the whole power lay with the people, however the idea might be ridiculed in that age of political infidelity, would succeed and flourish he had no doubt; but finding no reason to believe that such a trial could be brought about in England, he adopted the romantic resolution of giving up his fortune and his future life to its realization in the new world.

A long and cogent train of incidents had led him to this great resolution. Once formed, it was put into immediate course of execution. In lieu of the money owing to his father, he proposed to the King's council to take a certain amount of territory on the Atlantic sea-board and in the interior of the country, as had been done at various times by other of the great colonial proprietors.[1] The tract of land included in his petition was then a huge wilderness, with only here and there, at vast distances, a solitary house of wood and thatch, tenanted by some enterprising Dutch or Swedish family; and the hush of nature lay unbroken for hundreds of miles except by the occasional cry of the Indian hunter. To this unknown country he proposed to lead out a colony of pious, liberal, and industrious citizens, to seek those fortunes and enjoy those liberties in the new world which the evil passions of the older world denied them. There was a touch of classic chivalry in

[1] Pennsylvania Papers, vol. i. State Paper Office.

such a thought. The young soldier of Kinsale, with the adventurous genius of his race, would re-enact in modern times, the feats of an ancient hero of romance. But this was the least part of his design. He wished to provide out of that wilderness a Free Colony for all mankind—an original and an august conception: one which will keep his name forever in the best memories of mankind.[1] His experiment was to bear witness to the world that there is in human nature virtue sufficient for self-government.[2] In the colony of his brain he was resolved that there should be equal laws. The entire sovereignty—judicial, representative, administrative—should rest with the people. Every office of government should be discharged by men elected to their functions, and paid out of the public revenue for their services. The state should employ the best of servants, but admit of no masters. There should be no difference of rank—no privileged order—in this new community. In his generous enthusiasm for equal rights, Penn forgot that some of these ideas were incompatible with the laws and constitutions of England.[3] In the Utopia conceived in his mind he had resolved that there should be no power, not even his own, above the law. Justice should be equally administered. To the natives of the soil he would offer protection, the useful arts, European comforts, and above all the Christian gospel. The spirit of love brooded over all his projects. Universal freedom of the conscience—perfect equality of political and civil rights—the most sacred respect for personal liberty—and a full regard to the rights of property; these were the chief points of his scheme of colonial government. The design was as grand as it was novel:—in every sense it was worthy of the friend of Algernon Sidney!

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[1] Penn to Judge Mompesson. Watson's Annals, 98.

[2] Penn to Turner, February 12, 1681.

[3] Attorney-General's Observations. Pennsylvania Papers, vol. i. State Paper Office.

CHAPTER VII.

1680–1682.

A NEW DEMOCRACY.

When Admiral Penn died he left behind him claims on the Government, amounting in the whole to nearly fifteen thousand pounds. In Charles' time the exchequer was usually empty, and among their other resources financiers were in the habit of borrowing money from private individuals for the uses of the State. The system of permanent national debts had fortunately not yet come into vogue; the security of the Government, the King's honor and honesty, was not considered quite so good as that offered by a tenth-rate banker; and it consequently required no small amount of patriotism to induce a man to lay his private fortunes at the disposal of his country.[1] The cautious and forecasting admiral had acted with much liberality. He had lent large sums of money to the public Treasury at times when it was needed to equip the fleet. He remained without his pay for years when the finances were embarrassed; and as no interest was ever paid on the principal lent, the debt ran up in the course of years to the amount already named. Ten years had now elapsed since the admiral's death; and as his son had never seriously pressed for a settlement—the Princes being always in want of ready money—the claim had accumulated to upwards of sixteen thousand pounds—equal to more than three times that amount of our present money.[2] In lieu of a money settlement of this claim, Penn now sent in his petition to the Council, praying that his Majesty would be pleased to grant him letters-patent conferring upon him and his heirs forever a tract of unoccupied crown-land in America.[3] The block of country which he had selected lay to the north of the Catholic province of Maryland, owned by Lord Baltimore; for its western boundary it had the state of New Jersey, with the affairs of which

[1] Pepys, iv. 161–164, 172. [2] Penn to Turner, April 2, 1681.
[3] Pennsylvania Papers, June 14, 1680, State Paper Office.

he was now become familiar. It had only one outlet into the sea,—by means of the great Delaware river; but it stretched inland to an unknown and undefined extent, across the magnificent range of the Alleghanies to the banks of the Ohio on the west, and to the shores of Lake Erie on the north. The length of the province was nearly three hundred miles; its width about one hundred and sixty; and it contained no less than forty-seven thousand square miles of surface—being little less than the whole area of England! The entire region was covered with dense forests and extended prairies. The native Indians hunted the elk and the wild deer over its great plains, or danced the war-dance and smoked the pipe of peace beneath the shade of its majestic oaks.[1] Nature had not been prodigal of her bounties in this region; the bare mountain chain covered a vast portion of its area, and while the adjoining states of Virginia and New England resounded with industry and began to blossom as the rose, no one thought of sitting down in this bleak and forbidding clime. The winters were known to be severe on the western slopes of the mountain range, and it was conjectured that they must be still colder in the valleys on the east. Yet the land was rich in many of the best elements of national wealth. The magnificent embouchure of the Delaware, between Cape Henlopen and Cape May, offered a basin in which the commerce of a great continent might find ship-room. The Susquehannah, the Delaware, the Ohio, the Alleghany, and a host of minor streams watered the interior of the country or washed its boundaries. It was rich also in mineral treasures. Iron was to be had for the search; to the west of the Alleghanies lay inexhaustible fields of bituminous coal; and anthracite beds of the same valuable fossil were to be found in almost every part of the province. Near the banks of the Ohio lay concealed a treasury of salt-springs. Lime-stone was everywhere abundant; and in the south-east was a quarry of marble, not unworthy to vie with the produce of Italy and Greece.[2] Nor was the whole of the province like the barren slopes of the mountainous districts. Though the rock often lay near the surface, it was covered with a rich vegetable loam. Sand and alluvial deposite existed in the same locality.[3] Brooks and

[1] Penn to Free Traders, August 6, 1683.
[2] Macgregor's Commercial Tariffs, Part xv. 348–9.
[3] Penn's Letter to the Free Traders, August 6, 1683.

mountain streams innumerable crossed and recrossed the valleys in every direction, fertilizing the soil and breeding myriads of ducks, curlews, geese, and other water-fowl.[1] The lower flats about the Schuylkill and the Delaware were remarkable for their fertility. Between the head waters of the Alleghany and Lake Erie, and on both banks of the Susquehannah, the soil was wonderfully rich and capable of the very highest cultivation. It waited only for the forests to be felled and the surface cleared to produce wheat, barley, rye, Indian corn, hemp, oats, and flax in extraordinary perfection.[2] In the vicinity of the sea the climate for a considerable portion of the year had the balmy softness of the south of France;[3] and the purity of the atmosphere reminded Penn continually of the air of Languedoc.[4] The forests supplied woods of almost every kind. The cypress, the cedar, the chestnut, the oak, and the walnut were among the most plentiful. The poplar attained in that climate to its highest perfection—a circumstance often mentioned by the proprietor. Six precious species of oak were to be found. The pine, the cedar, and the wild myrtle filled the air with fragrance; and a slight breeze brought from the heart of these boundless woods scents which acted on the nerves like a gentle stimulant.[5] Beasts of prey and animals of a large size there were none; but the woods abounded in wild game, and the venison they produced was superior to any thing of the kind out of England. Fowls grew to an enormous size in the country, and it became a common thing afterwards to have turkeys of forty or fifty pounds weight; and pheasants, partridges, and pigeons made the fields vocal with their cries. The rivers were ready to yield abundance of fish, especially perch and trout, shad and rock, roach, smelt, and eels. Oysters were plentiful and of great size and delicacy, as were also crabs, cockles, conch, and other shell-fish. Luscious fruits grew wild about the country —the grape, the peach, the strawberry, the plum, the chestnut, and the mulberry, while the eye was delighted with the virgin flowers of the forest, of a beauty, largeness, and splendor quite unknown in the harsher latitudes of the north.[6]

These natural advantages were many of them at that time

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[1] Penn to the Free Traders, Aug. 6, 1683.
[2] Macgregor, xi. 348, 349.
[3] Penn to the Free Traders, August 6, 1683.
[4] Penn to Sunderland, July 28, 1683.
[5] Ibid.
[6] Penn to the Free Traders, August 6.

unknown. Penn himself never suspected that he was asking for a kingdom in return for a trifling debt. Indeed, he had no thought of making money by his province; and to the day of his death he never dreamt of the pecuniary value of his acquisition.[1] For years and years it had been a sort of waste land, which no one believed to be worth the trouble of enclosing. Men in that age looked upon a settlement among the Alleghanies as their descendants now do upon the gorges of the Rocky Mountains. They went thither who could settle no where else. When Gustavus Adolphus came to the throne of Sweden, he had found nearly the whole of the American continent in the possession of one or other of the European powers; but being anxious, as stated in the proclamation issued at Stockholm, "to convert the heathen and to extend his dominions, to enrich the treasury and lessen the public taxes," he sent out a number of colonists from Sweden to take possession of the unoccupied territory lying about the upper reaches of the Delaware.[2] This was the beginning of a sedate, industrious, and religious community. A few Dutch settlers were there before them; and these, at first, had no friendly feeling to the new comers. But they soon found that their industrious neighbors would be useful to them, and national jealousy was kept down by a sense of pecuniary interest. The Swedes turned all their attention to farming: the Hollanders preferred the less laborious pursuits of trade. They suited each other exactly.[3] With the Swedes went out a number of Finns; and a village was formed by them at Wicocoa, now within the suburbs of Philadelphia.[4] They gave the name of New Suabia to the whole country,[5] and scattered themselves far and wide over its surface. They had, however, advanced but a little way towards the formation of a State, when Penn became a petitioner to the King. Not a single house had been built at Philadelphia, a spot marked out by nature as the site of a great city; for such of the Hollanders as had fixed their residence at the confluence of the two rivers, had been content to harbor in the holes and caves with which the high bank of the Delaware abounded.[6]

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[1] Penn Gaskill, MSS.

[2] Holms' Hist. New Swedeland (Stockholm, 1702; reprinted by the New York Hist. Society), ii. 345. [3] Penn. Hist. Collections, 10.

[4] Proud. Hist. of Penns. i. 205. Proud is now an original authority; he had access to manuscript letters and papers which are no longer in existence. [5] Smith's Map, 1603. [6] Penn. Hist. Soc. Memoirs, i. 163.

The native red men of the southern part of the province were a branch of the Lenni Lenapé. This name, signifying "the original people," was a common term, under which were included all the Indian tribes speaking dialects of the widely-spread Algonquin language. An obscure tradition among them pointed to a great emigration from the west, in ages long passed away; and it is probable they were the remnants of a conquering race, which had subdued and swept away the more civilized people, whose monuments still arrest the attention of the traveller in the great valley of the Mississippi.[1] The northern regions were held by the Iroquois, the race of red men so famous in the history of New York, under the name of the Six Nations. As compared with the white men, these different tribes presented the same general characteristics—hardy, hospitable, cunning, magnanimous, and cruel. These semi-savages claimed the lordship of the soil, as theirs by immemorial occupancy. But as they hunted only, and the grounds were of use merely as long as the rivers yielded fish, and the forests game, they set little value on its permanent possession. They were in the nomadic stage of social development; and men who have no fixed place of residence —no altars and no homes—have yet to acquire the means whereby the sense of a sort of sacredness in the soil grows up. The Iroquois and the Lenapé built no cities—permanently cultivated no fields. Wherever the woods afforded sport, the wigwam was erected. The men tightened their bows and sharpened their hatchets; the women planted a rood, or so, of maize; and as soon as the spoils of the forest and the produce of the field were got in, they decamped to a more attractive spot. They were not devoid of a rude sort of government. The king or sachem was an hereditary ruler; but the order of succession was by the female line. The children of the reigning sachem could not succeed him in his regal office, but the next son of his mother in point of age: if there were no brother, then the eldest son of his sister. This practice broadly indicates the state of morals among the red skins, the precaution being adopted to prevent the intrusion of spurious blood into the royal house.[2]

Such were the broad natural features of the country which

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[1] Penn. Hist. Soc. Collections, 5.

[2] Penn's Letter to the Free Traders, August 6, 1683.

William Penn now petitioned the King to grant him, in lieu of his claim upon the government.

The petition was strongly opposed in the Privy Council, where political bigotry and private interest continued for a whole year to thwart its progress. Penn's ideas were not popular at Whitehall;[1] his so-called eccentricities had only been tolerated out of respect for his father; but the Royalists lost all patience when it became known that he sought to obtain a grant of land with the intention of putting in practice certain theories of government held to be Utopian by wise and moderate politicians, and denounced by every courtier and cavalier as absolutely dangerous to the crown and state. Recent events had somewhat relaxed his hold upon the Duke of York. He had publicly expressed his belief in the Popish Plot; he had influenced his friends, openly and strenuously, to support Algernon Sidney, against the party of the court; and had become an accepted leader of the Republicans.[2] He had committed a still greater offence in the eyes of James—he had stood between the Prince and his prey, and had compelled him to do an act of substantial justice. Being the lord-proprietor of the whole province of New Netherlands, James had claimed a right to levy an import and export tax upon all articles entering or leaving its ports. So long as he retained the territories in his own possession, this claim was not disputed; and consequently all persons carrying goods to or from New Jersey, had paid a duty of ten per cent. *ad valorem.* But after the transfer of the proprietorship to Byllinge, this tax was felt by the colonists to be a grievous wrong; they drew up a protest against it, which they sent home to Penn, the acting trustee for the new proprietor. Having considered the justice of the case, he proceeded in the name of his clients against his own patron in the courts of law. Sir William Jones decided in favor of Penn and the colonists; and the Duke at once acquiesced in the decision, though it is hardly possible to believe that he would not feel sore at his defeat, and angry with the man who had forced him to give up a considerable part of his revenue. To the

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[1] Penn to Turner, February 12, 1681.

[2] Sewell, ii. 294. James had sagacity enough to see that the Sidney party were determined to restore a republic; he was continually representing this to Charles. See his Memoirs, i. 595-632. Sidney and Shaftesbury had a violent quarrel at this time. Dorothy Sidney to Lord Halifax, July 8.

coldness of the Prince was added the active hostility of Lord Baltimore, whose ill-defined possessions were supposed to be invaded by the new boundary line.[1] Baltimore was a bigoted Papist, and one of those who stood at this very moment in Oates' black list of conspirators;[2] he was consequently not in the country, but he had powerful friends at court, ever watching over his interests; and Penn's petition was no sooner laid before the council, than a copy of it was sent off to his agent, Mr. Burke, who thereupon took his own measures to defeat it.[3] Had the royal coffers been more plentifully supplied at this time, it is not likely that the State of Pennsylvania, as it now stands, would ever have been founded. The dilatory forms of the royal council were used to prolong consideration of the petition; the Lords Commissioners of Trade and Plantation, wrote long letters about mere trifles to the Attorney-General, and the Attorney-General wrote with similar tact and ease to the Lords Commissioners. Penn's time and hopes were equally wasting.[4] The Earl of Sunderland was his most active friend at court; but his interests were also promoted by Lord Hyde, Chief Justice North, and the Earl of Halifax.[5] These politic friends advised him to be silent as to his democratic intentions, until his patent was issued, and he had got safely away into his new colony: the mere name of freedom having an offensive sound in the neighborhood of the palace; if he wished to succeed in his attempt, he must adopt the suggestions of worldly prudence. Penn followed this advice.[6] But his enemies were powerful in rank and influence;[7] and before their opposition was brought to an end, they contrived for him many grievous trials and bitter disappointments.[8]

In the meantime, doubtful of the issue of his petition, but determined to try his great experiment in a fair field, at his own cost and risk, he seized an opportunity which offered itself to become a part-proprietor of East New Jersey. Sir George Carteret, tired of the responsibilities of his office,

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[1] Dunlop, Penn. Hist. Soc. Memoirs, i. 167.

[2] True and Exact Narrative, 6.

[3] Note to Pennsylvania Papers, June 14, State Paper Office.

[4] This correspondence is preserved in Vol. i. of Penn. Papers, in the State Paper Office.

[5] Penn to Sunderland, July 28, 1683.

[6] Penn to Turner, April 12, 1681.

[7] Ibid. August 25, 1681.

[8] Ibid. March 5, 1681.

proposed to sell his province; and William Penn, the Earl of Perth, and twenty-two others, purchased it, with a view to establish a more liberal government and bring some of his ideas into practical operation. The partnership completed, and the purchase made, Penn drew up an account of the soil, air, water, climate and other natural advantages of the country—sketched a project for a new town, which he proposed to call Perth-Amboy, out of compliment to his noble partner,—and published a method of disposing of such lands as remained in the colony unoccupied. His fame as a state founder had now spread into every part of the British Islands; the liberality of the concessions attracted the notice and favor of the general public, and a great number of emigrants, especially from Scotland, accepted the terms and repaired with their families to East New Jersey.[1] In these active employments he found a refuge from the troubles brought upon him by his petition; the delays of the council, the envy of false friends, and the malice of his open foes.[2]

The petition was bandied about from council to commission, from commission to council. At first the Duke of York was unfavorable to the grant in the form which Penn, advised by Sidney, had proposed; and the Attorney-General, Sir Joseph Werden, objected to it in his name.[3] But Sunderland pressed the matter to a conclusion by keeping the attention of the court fixed on the alternative of a settlement of the debt in money.[4] This great argument in its favor ultimately overcame the scruples of all parties. After five months spent in negociation, Sir Joseph wrote to inform Mr. Secretary Blathwayte that the Duke of York had consented to accede to Penn's request.[5] All that now remained was the arrangement of details. But this task occupied another term of five months. The chief questions which came up for discussion had reference to the boundaries and the constitutions. The agents of the Duke of York were heard by the Privy Council; Mr. Burke appeared on behalf of his noble employer, and both parties laid objections to the boundary line as drawn by the friends of Penn. The geography of the American con-

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[1] Pennsylvania Papers, i. 103, State Paper Office.
[2] Penn's Letter, February 5, 1683. Besse, i. 124.
[3] Pennsylvania Papers, June 23, State Paper Office.
[4] Penn to Sunderland, July 28, 1683.
[5] Pennsylvania Papers, October 16, State Paper Office.

tinent was then very imperfectly known, even to the men who had to dispose of it in parcels almost as large as kingdoms;[1] and the charters of nearly all the proprietors were drawn up so as to lead to vexatious after-disputes.[2] Penn's counsel made the best of their position; their client being anxious to obtain a well-marked line of separation from the lands of his neighbors, and especially from those of the Catholic lord of Maryland; but the parties could not agree, and the grant was finally made out with no proper understanding of the questions in dispute, in the hope that the proprietors would themselves be able to arrange their differences.[3] This omission led to endless disputes.[4] The terms of the charter then came on for consideration. Penn had forgotten some of the less liberal laws and usages of England; but the Attorney-General and the Lord Chief Justice took occasion to remedy this defect by adding a number of clauses to the charter. They expressly reserved all the royal privileges. They provided for the authority of Parliament in all questions of trade and commerce. They made it imperative that all acts of the colonial legislature should be submitted to the King and his council, without whose formal sanction they would be void and of no effect. Above all, they reserved to the mother country the full right to levy taxes and customs.[5] The Bishop of London got a clause inserted claiming security for the National Church. An instance how little Penn's tolerant spirit was understood in his own day![6]

All these preliminaries being arranged, on the 24th of February the Lords of Trade and Plantations submitted the draft of a charter to the King, constituting Penn absolute proprietor of the province. Charles at once set his signature to the document, only too happy to cancel a large and troublesome debt so easily.[7]

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[1] Sir Joseph Werden to Secretary Blathwayte, November 20, Pa. Papers, State Paper Office.

[2] Watson's Annals, 5.

[3] There is a useful article on the boundary question between Penn and Lord Baltimore in Penn. Hist. Soc. Memoirs, i. 160; but Mr. Dunlop had not seen the important papers relating to this controversy in the State Paper Office.

[4] The correspondence between Baltimore and Penn, their agents, and the government, fills several volumes in the State Paper Office.

[5] North's Memoranda, Pa. Papers, vol. i. (1680), State Paper Office.

[6] Penn's Papers, February 24, 1680–1, State Paper Office.

[7] Records of Privy Council, C. R. 16, 224, P. C. O.

A council was called for the fifth of March at Whitehall which Penn was summoned to attend. The King was present; but the petitioner neither doffed his hat nor bent his knee before the majesty of England. Charles seems to have been rather amused with his eccentric and unique courtier, if a story which obtained currency at that time may be credited. As Penn stood bonneted in the royal presence, he observed the King remove his hat; at which, it is said, he observed, "Friend Charles, why dost thou not keep on thy hat?" To which his majesty replied laughing—"It is the custom of this place for only one person to remain covered at a time."[1]—At this council the charter was finally issued. The name which Penn had fixed on for his province was New Wales, on account of its mountainous character. But Secretary Blathwayte, a Welshman, objected to have the Quaker country called after his native land; the new proprietor then proposed Sylvania, on account of its magnificent forests; and to this the King himself added Penn, in honor of the great admiral. It was a happy combination—the Forest Land of Penn! The proprietor, however, fearful lest it would appear an instance of vanity in him to have allowed a large principality to be called after his family, appealed to the King, and offered twenty guineas to the Secretary, to have it altered. Had he appealed to Blathwayte and bribed the King, he might have succeeded. As it was, Charles took upon himself the responsibility of the name;[2] and the patent was issued in the usual form.[3] The document itself—the germ of a great nation—is now in the office of the Secretary of Pennsylvania; it is written on rolls of strong parchment, in the old English handwriting, each line underscored with red ink; the borders are gorgeously emblazoned with heraldic devices, and the top of the first sheet exhibits a finely executed portrait of his majesty, still in a state of excellent preservation. It briefly sets forth the nature and reasons of the grant, and loosely describes the boundaries of the province. This document, although not yet two centuries old, is already regarded with a sort of veneration.[4]

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[1] The True Picture of Quakerism (1736), p. 7. Gray's Hudibras, i. 376, note. Sewell tells the story differently, ii. 334.

[2] Penn to Turner, March 5, 1681.

[3] There is an attested copy in the State Paper Office. It is printed in Hazard's Register, i. 293.

[4] Penn. Hist. Soc. Memoirs, i. 167.

To Penn himself the granting of his petition was the great event of his life. He knew the grandeur of his own designs. Sidney felt that the cause of freedom was at issue; but he, with a simpler philosophy rising to a higher generalization, felt that the question involved no less than the cause of God. A more than usually profound religious sentiment swayed his mind while waiting the turns of this negociation; he saw how completely a false step, a rash word, an imprudent concession, might put the whole of his great scheme in peril. When the charter was issued he could exclaim—"God hath given it to me in the face of the world. . . . . He will bless and make it the seed of a nation."[1]

In this spirit he commenced his labors as a legislator. Warned by the utter failure of the rigid constitution so elaborately drawn up by Locke and Shaftesbury for Carolina, and which their friends had declared would last forever,—Penn resolved, at the instance of Algernon Sidney,[2] to secure an essentially democratic basis for his scheme of government, and allow the minor details to be filled in as time, events, and the public good should render them necessary.[3] At the outset, therefore, he drew up a frame of government, the preamble of which—like the declaration of rights and principles prefixed to more modern constitutions—contained an exposition of his leading ideas on the nature, origin, and object of government. His sentiments, as exhibited in this document, are wise, liberal, and noble. He begins by expressing his conviction that government is of divine origin—and bears the same sort of relation to the outer that religion does to the inner man. The outward law, he says, is needed in the world because men will not always obey the inward light: "The law, in the words of an Apostle, was added on account of transgression." But they err, he says, who fancy that government has only to coerce the evil-doers: it has also to encourage the well-disposed, to shield virtue, to reward merit, to foster art, to promote learning.—As to particular models of government, he will say little. Vice will vitiate every form; and while men side with their passions against their reason, neither monarchy nor democracy can preserve them from the destructive consequences. Governments depend more upon

[1] Letter to Turner, March 5. Besse, i. 124.
[2] Penn to Sidney, October 13, 1681.
[3] MS. Letter, February 28, 1684–5.

men than men upon governments. If men are wise and virtuous, the governments under which they live must also become wise and virtuous; it is therefore essential to the stability of a state that the people be educated in noble thoughts and virtuous actions. Such a people, making its own laws and obeying them faithfully, will be in reality a free people, so long as the laws are suffered to rule, whatever be the *name* of the constitution.[1]

The counsels of Halifax and Sunderland had not been lost. Without using terms which would have roused the jealousy of Whitehall, Penn contrived to express the chief of his ideas in a clear and practical shape. He concludes his preface by saying that, "in reverence to God and good conscience towards men," he has formed his scheme of government so as "to support power in reverence with the people, and to secure the people from the abuse of power, that they may be free by their just obdience, and the magistrates honorable for their just administration."[2]

The constitution, a rough draft only, followed. It had been drawn up with great care by Penn and Sidney together. Algernon went down to Worminghurst for the purpose; and there the two lawgivers drew up the first outlines of the constitution, discussing the several articles word by word. Every phrase employed was tested by the most advanced theories of democracy, and by the practice of ancient and modern nations. Penn freely changed his terms whenever Sidney expressed a doubt of their wisdom and fitness. When the first rudiments were moulded into shape, Algernon carried the papers home with him to Penshurst, to consider and reconsider the various clauses at his leisure; and when his own mind was fully satisfied as to their form and substance, he brought them back finally amended. So intricate and continuous was this mutual aid, that it is quite impossible to separate the exact share of one legislator from that of the other.[3] The constitution began by declaring that the sovereign power resided in the governor and freemen of the province. For purposes of legislation, two bodies were to be elected by the people—a Council and an Assembly. The proprietor or his deputy was to preside at the council, and to have three votes: this was the only power

[1] Preamble of Frame of Government. Folio, 1682.
[2] Hazard's Register, i. 324.
[3] Penn to Sidney, October 13, 1681.

which he reserved to himself or his agents. The functions of the council were, to prepare and propose bills—to see the laws duly executed—to have charge of the peace and safety of the province—to determine on the sites of new towns and cities—to build ports, harbors, and markets—to make and repair roads—to inspect the public treasury—to erect courts of justice, institute primary schools, and reward the authors of useful inventions and discoveries. This body, consisting of seventy-two persons, was to be chosen by universal suffrage for three years, twenty-four of them retiring every year, their places being supplied by a new election. The members of the assembly were to be elected annually. The votes were in all cases to be taken by ballot; the members were to be paid; and the suffrage was universal. There were no property qualifications, and the whole country was to be divided into sections for electoral purposes.[1] The assembly, however, had no deliberative power. The acts of the council were to be simply laid before it for approval or rejection. It had the privilege of making out the list of persons to be named as justices and sheriffs, of which list the governor was bound to select one half; this privilege is still preserved in America, to the great scandal of countries in which the judgment-seat is held to be the last place which ought to be invaded by popular will. Penn evidently intended the assembly to be a great audit-chamber; a yearly gathering of the people to sanction, if it found them worthy, the measures of the government. But with time its functions grew in importance; elected every year, it represented public opinion more accurately than the more senate-like council; and this circumstance gave it a weight in the country which the less changeable body never possessed.[2]

To this outline of a constitution were added forty provisional laws relating to liberty of conscience, the choice of civil officers, provision for the poor, processes at law, fines, forfeitures, arrests, and other matters of a civil nature. These provisional laws were to be in force until the council had been properly elected, when they were to be accepted, amended, or rejected, as the popular representatives should think proper; Penn agreeing with Sidney that no men could know what laws were needful so well as those whose lives, properties, and liber-

[1] Frame of Government, 1682. Here are all the "six points of the Charter."
[2] Franklin's Historical Review (1759).

ties would be concerned in their administration. On this point the constitution of Pennsylvania, and through it that of the United States, owes an eternal obligation to Algernon Sidney. Penn, like More, Harrington, and the writers on Utopian schemes of government, had a leaning in favor of a fixed and inflexible system. He would have drawn up his own constitutions and offered them to the world as the conditions of settlement in his new colony. Shaftesbury and Baltimore had adopted this as the only possible form. With a truer political instinct, Sidney saw that a democracy was incompatible with a fixed and foreign body of constitutional law. He proposed, therefore, to leave this question open.[1] Having fixed the great boundary lines of the system—secured freedom of thought (always Penn's first care), sacredness of person and property, popular control over all the powers of the state, financial, civil, proprietorial, and judicial—the lawgivers left the new democracy to develope itself in accordance with its own natural genius ;—which it did the better for being unincumbered with useless formalities and laws.[2] America owes much to Algernon Sidney.

Penn's philosophical friend Locke had taken another course. The serene and logical thinker had brought to the task of forming a new government for Carolina the learning of the schools and the traditions of ancient times ; Shaftesbury had also contributed his knowledge of the actual world ; and these two liberal and enlightened men had drawn up a form of government which England received as the perfection of wisdom, and their friends described as destined to endure forever.[3] To understand how much Penn was wiser than his age, more imbued with the principles which have found their nobler utterances in our own, he must be measured—not only against the fanatics of his sect, and unlettered men like Fox—but against the highest types of learning and liberality which it afforded. Between John Locke and William Penn there is a gulf like that which separates the seventeenth from the nineteenth century. Locke never escaped from the thraldom of local ideas ; the hundred and seventy years which have passed away since Penn founded the state which bears his name, seem only to

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[1] Penn to Sidney, October 13, 1681. [2] Ancient Laws of Pennsylvania
[3] Blome's America, 138.

have carried Europe so much nearer to the source from which his inspirations flowed.

Locke's constitution for Carolina was essentially a tyranny. It recognized four distinct estates—the proprietors, the great nobles, the lesser nobles, and the commons.[1] The eight proprietors were the eight kings of the country; the dignitary was hereditary; on the failure of issue in one, the other seven were to choose a successor: they constituted a supreme body, self-elected and immortal, to whom one-fifth of the entire land in the province—a region larger than the whole of England, Wales and Scotland—was to belong permanently and inalienably. The oldest proprietor, with the title of palatine and a large salary, was to exercise the sovereign power. The other seven were to fill the offices of admiral, chancellor, chamberlain, constable, chief justice, high steward and treasurer.[2] Under these petty sovereigns two orders of nobility were to be created—being an earl and two barons for every four hundred and eighty thousand acres of land. Their number was never to be increased or diminished; the rank was hereditary; and in case of failure of issue, the place was to be supplied solely out of the privileged class. These nobles were to be invested with a second fifth part of the soil. Society was to be bound hand and foot. Estates were not to accumulate or diminish. The tenants, or small proprietors, were to hold ten acres of land at a fixed rent; these tenants were to be called leet-men; they were under the complete jurisdiction of their lords, without appeal; no leet-man or leet-woman could go from the soil on which he or she was located to live elsewhere without a license from the lord given under his hand and seal; and it was added in conformity to the spirit which ruled throughout, "the children of leet-men shall be leet-men, and so to all generations."[3] Over the negro slaves every freeman had power of life and death.[4]

The Executive power rested solely with the Eight. They had almost absolute control over the administration of justice. There were seven courts and forty-two counsellors: one of the Eight presided in each court; and of the counsellors two-thirds were chosen by the proprietors and nobles. One aristocratic

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[1] Fundamental Constitutions. The original copy is in our State Paper Office, among the Records of the Board of Trade. [2] Ibid.
[3] Ibid. Sections 22, 23. [4] Ibid. Section 110.

court controlled the press, another regulated fashions and sports. The Grand Council consisted of fifty members—of which thirty-six represented the aristocracy, and fourteen the people; and even these fourteen had to be elected at once and for life. Power of every kind was removed beyond the reach of the commons. The cultivators of the soil had no political rights. Even freeholders could not exercise the franchise unless they possessed fifty acres of land and upwards; and no one was eligible to sit in Parliament unless he owned five hundred acres and upwards. Trial by jury was virtually set aside. Every religion was tolerated—but the Church of England was declared to be alone true and orthodox; the only one to be supported out of the coffers of the State.[1]—Such are the great outlines of this celebrated document. How different to the constitutions of William Penn! Locke went back to the feudal times; Penn anticipated the modern radicals. The philosopher of sensation conceived a fixed aristocracy of wealth and power over-riding the democratic elements of the world; the disciple of the inner light had confidence in the virtues of mankind, and removed every obstacle to the free and full development of human energies. The project of the first signally failed, as it deserved to do; it is now buried under the dust of years; the other, slightly modified by events and seasons, lives and flourishes at the present moment, an example to infant governments, and one of the most precious heir-looms of time.

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[1] Fundamental Constitutions, Section 96.

CHAPTER VIII.

1682–1683.

THE HOLY EXPERIMENT.

THE great outlines of the new political system being drawn up, so as not only to meet his own ideas of the nature of a free and just government, but even to satisfy for the time his friends Sidney and North, Penn began to organize the emigration. The elements of a great movement were prepared to his hand. So soon as it was whispered about that the famous controversialist, the champion of trial by jury, the religious democrat, had become the sole owner and governor of a mighty province in the New World, and that he proposed to settle it on the broadest principles of popular right, men's minds were kindled with a liberal emthusiasm; from nearly every great town of the three Kingdoms, and from many cities on the Rhine and Holland, agents were despatched to London to treat with the new lord for lands on which colonies and companies proposed to settle. When the concessions were given to the public several minor companies were formed for the purpose of emigration. A German company was set on foot at Frankfort, in which the admirers of Penn at Worms, Kirchheim and other places visited by him in his travels, were largely interested. They sent over Franz Pastorius to London to purchase for them fifteen thousand acres of land lying in one tract on a navigable river, and three hundred acres within the liberties of the city to be founded by the governor.[1] Liverpool, then a small but rising town, furnished a considerable number of purchasers and settlers—London still more. A regular company was organized at Bristol under the name of the Free Society of Traders in Pennsylvania; and in the autumn of the year the proprietor went down to that city to confer with Claypole, Moore, Ford and the rest on the plans to be adopted in

[1] Pastorius wrote, in German, a Description of Pennsylvania, which has recently been translated and reprinted in the Penn. Hist. Soc. Mem. iv. Part ii. 83. It contains several interesting particulars not otherwise known.

their novel enterprise. The west of England was even then famous for its woolen cloths, and while his continental repute secured a number of emigrants conversant with the most approved modes of cultivating the vine, Penn was anxious to encourage skillful manufacturers of wool to migrate from the neighborhood of Bristol and the valley of Stroud. In the early stage of his plans these were the staples on which he most calculated.[1] As freedom for trade as well as freedom for the person was his desire, he resolutely adhered to his own sense of right to the detriment of his fortunes. He resisted every temptation to reserve to himself profitable monopolies, as in his constitution he had refused to retain official patronage. A few weeks after the charter was issued, Thurston of Maryland sent his agent to offer him a fee of 6000*l.* and 2½ per cent. as rental, if he would allow a company to be formed with an exclusive right to the trade in beaver skins between the Delaware and Susquehanna rivers.[2] Other proprietors granted these monopolies, and his legal right to do so was unquestionable; but in his conscience he felt that it was not just, and although his funds were so low that he was obliged to adopt a strict economy in his house, he refused the bribe.[3] The Free Society of Traders realized one of his own favorite ideas, and he afforded the company very great facilities. They bought out and out twenty thousand acres of land, published their articles of trade, and immediately commenced preparations for the voyage. A considerable number of persons from the principality of Wales soon followed this example,—and before many months were passed, matters had been pushed on with so much zeal and method that a vessel, filled with emigrants, was ready to set sail from the port of Bristol.

One of the members of the Free Society of Traders, Philip Ford, a sleek and subtle scoundrel, not unlike those types of Quaker villany which were once among the stock properties of every writer for the stage, became Penn's secretary and man of business. This person was to him for many years an evil genius and the cause of loss, disappointment and severe adversity to his family. Of course his real character was unsuspected by his victim, and he was consequently trusted with the management of all his more formal and routine affairs.[4]

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[1] Pastorius, Penn. Hist. Soc. Mem. iv., Part ii.
[2] Penn to Turner, Penn. Hist. Soc. i. 205.
[3] Ibid. 205, 206.
[4] Penn's MS. Statement.

The emigration from London also commenced in earnest. So early as April, Penn had sent out his cousin, Colonel Markham, as his lieutenant, with particular instructions to take possession of the province—to see and cultivate a friendly feeling with the Indian kings dwelling in the neighborhood of the Delaware—to search out a convenient spot of ground on which to erect a governor's mansion—and to visit and try to arrange with Lord Baltimore the vexed question of the boundaries.[1]

In some respects Markham was an excellent choice for such offices. Bold, resolute, devoted to the proprietor, business-like in his habits,—he was just the man to rule, under ordinary circumstances, an infant settlement. When he arrived in the colony he set about his task with equal zeal and discretion. He met the native sachems in solemn council, and bought from them an ancient royalty on the Delaware, not many miles below the Falls of Trenton. A regular deed of conveyance was drawn up, and the price of the land was paid. On the 1st of August, a confirmation of the sale was made, and the signatures of all parties having claims on the estate being obtained, he proceeded to lay out the grounds and commence the buildings of Pennsbury.[2] With Lord Baltimore he was less successful:—but he conducted the negociation in such a way as left a high impression of his capacity.[3]

With the Quakers he never grew into a favorite. As the confidential friend and relative of the proprietor he possessed claims on their regard which could not decently be set aside; but in his own character he gained from them neither sympathy nor support. The rigid settlers never forgot that he was not one of themselves, or that his profession was that of a soldier and a shedder of blood.

Penn had explained his views to his cousin, not only as to the arrangements to be made with the English and German immigrants, but also as to the line of conduct he intended to pursue with the natives of the soil.[4] From the time of Cortez and Pizarro downwards, the European conquerors of America had treated the aborigines as their property. Not content

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[1] Maryland Papers, April 10, State Paper Office.

[2] Penn. Hist. Soc. Mem. iii. Part ii. 176.

[3] Maryland Papers, 1681-6, State Paper Office. Pennsylvania Papers, 161, State Paper Office.

[4] MS. Address to the Indians.

with robbing them of their lands, their lakes, their hunting-grounds, their rude ornaments of pearl and gold; they had seized their persons and compelled them, under terror of the rod, to toil and sweat for their pleasure and profit. When the bolder spirits dared to resent these wrongs and fly from the faces of their tyrants, they had been hunted down like wild beasts, and either worried by furious blood-hounds or sent to find a more lingering and painful death in the mines. Though less cruel than the Spaniards in their greed of gold, the English had scarcely proved themselves more just or rational. Even the Puritan settlers had been at continual war with the natives of the soil, and more than one scene of treachery and atrocity stains the memory of the New England pilgrims.[1] Penn, strong in his belief in human goodness, would not arm his followers even for their own defence. In his province he had resolved that the sword should cease to be the symbol of authority; neither soldier nor implement of war should be ever seen;[2] he would rely entirely on justice and courtesy to win the confidence of those whom it had hitherto been the vice of his countrymen to treat only as enemies. The world laughed at the enthusiast who thought of placing his head under the scalping knives of the Lenni Lenapé; but his stern lieutenant, who had known something of the horrors of our civil war, did not despair of success. An eternal witness of Penn's sagacity is the fact, that not one drop of Quaker blood was ever shed by an Indian![3]

In the autumn two other vessels—the *John Sarah*, of a hundred tons burden, commanded by Henry Smith, and a barque called the *Amity*, Richard Dinan, master, sailed from the Thames. Penn had now completed his scheme with regard to the Indians,[4] and by the *John Sarah* he sent out three commissioners, William Crispin, John Bezar, and Nathaniel Allen, with written instructions to buy land from them in his name, to arrange a regular course of trade, and to enter into treaties of peace and friendship.[5] At sea the two vessels

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[1] See the destruction of the Pequods by fire and sword. Bancroft, i. 400, et seq.

[2] MS. Letter to Crisp, February 28, 1684-5.

[3] Penn. Hist. Soc. Mem. i. 65. This is confirmed by Bancroft, ii. 383.

[4] The conditions are dated July 11, 1681.

[5] Penn. Hist. Soc. Mem. ii. 215. All the facts with regard to these commissioners are misstated by historians. Neither their names nor their numbers were known until the Hamilton MSS. were found a few years ago.

parted.[1] The *Amity* was driven by storms among the West Indian islands, and did not reach the Delaware until the following spring.[2] The *John Sarah* was the first to make land in the New World; but the *Bristol Factor* soon afterwards appeared in the river. A dramatic incident attended their first experience of the coast. As they slowly ascended the noble stream, some of the passengers observed a few cottages on the right bank, forming the Swedish village of Upland, and it being nearly dark, with a long winter night before them in unknown waters, they thought it best to pull up and spend their first vigils for some time on land. While the adventurers were enjoying themselves in their several modes on shore, a sudden frost set in, and next morning they found to their alarm that the vessel was locked in ice and the river no longer navigable. The hospitable Swedes offered them such protection as their scanty homesteads afforded; those who could not obtain the shelter of a roof, dug holes in the ground or piled up earth huts; and here at last they determined to pass the winter months.[3] Many of them were still there when Penn arrived in the ensuing autumn.

Meanwhile the friends of the Holy Experiment were busy in England and on the Continent. The indecision of the Lords of Plantation had left several sources of uncertainty in the grant. The quarrel with Baltimore seemed to threaten years of angry and expensive litigation; for between the Catholic lord and the Quaker proprietor irreconcileable views as to the nature and scope of government came in to embitter the more private dispute as to the rights of property. Colonel Markham held conference after conference with Baltimore, but without result.[4] Each party appealed to his political friends in England, where the King took part with Penn, and personally interested himself so far in the matter as to write several letters to Baltimore about the adjustment of the boundaries.[5] The unsettled claims of the Duke of York were hardly less important. He had not yet given his consent to forego his seignorial rights over the province; besides which the State Founder considered it essential to the success of his plans that no hostile power should ever be able to shut his

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[1] Plant. Gen. Papers, B. T. 32. State Paper Office.
[2] Watson's Annals, 14.
[3] Ibid.
[4] Maryland Papers, v. 60. State Paper Office.
[5] Ibid. v. 83, 84.

people out from commerce with the world—an event clearly possible if the mouth of the Delaware was commanded by an enemy. To prevent an evil of so much magnitude Penn sought to obtain from his Royal Highness a grant of the ill-defined strip of land fronting the Delaware from Coaquannoc to Cape Henlopen, then called the Territories, but now forming the state of Delaware. Months of diplomacy and negotiation elapsed before these affairs were arranged with the agents of the duke; but on the 24th of August two drafts of conveyance were drawn up and sent by his Highness to the Board of Trade, in which he made over all his rights and titles to these estates to Penn and his heirs forever.[1] These important concessions relieved the new proprietor from every immediate difficulty. Throughout the whole of the protracted negotiations and discussions, James behaved like a prince:—can we wonder that his ward should retain a grateful consciousness of obligation!

Fired with new zeal by these happy events, he now pushed on his preparations for the voyage with redoubled ardor. On every side the opportunity of doing good presented itself. His friend Wallis, the famous mathematician, suggested how much he might do to extend the domains of science. Statesmen were all at fault as to the geography of America;[2] its natural history was hardly better known to scholars. Penn freely offered to make observations; and the Royal Society, then recently founded, admitted him into their ranks.[3]

A sad event put an end for a short time to these projects:—the death of Lady Penn. She was a simple, kind-hearted woman; good-looking though not beautiful; and gentle and affectionate to her son, without understanding his principles or altogether approving of his conduct. In return he loved her with that tenderness which strong men always bestow on women who respect, when they cannot sympathize in their ideas. When she died he was so unwell for several days as to be unable to bear the light; and it was weeks before the usual calm returned to his heart—the habitual activity to his brain.

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[1] Proprietary Papers, B. T. v. 5, fol. 71, 72. State Paper Office.

[2] The charters of North and South Carolina each included New York; that of Maryland invaded New Netherlands; Connecticut was made to include parts of New York and Pennsylvania, and to extend to the Pacific Ocean! Watson's Annals, 5.

[3] MS. Records of Royal Society.

The vessel which was to take him to America was already in the Downs. Compared with other ships then navigating the Atlantic, the *Welcome*, carrying no less than three hundred tons burden, was considered a stately bark. On the deck might be seen about a hundred pale and anxious faces, for it was already getting deep into the autumn, and a winter voyage was never thought of at that time without a shudder. They consisted almost entirely of persons well to do in the world, and many of them had been used to the daintiest comforts of life[1]. As yet the governor had not gone on board; but his servants, his furniture, his wine, his horses, his provisions, his wardrobe, the carved doors and window-frames, the whole interior decoration of the house he intended to build for his own habitation in the new land, were lying about; and these mixed up with a thousand other things, animate and inanimate, caused the deck of the *Welcome* to present a scene far more exciting and confused than picturesque.

The voyage might last from six to twelve or fourteen weeks according to wind and weather, and every man had to be provisioned for the longer term. It is not to be supposed that the travelling Friends denied themselves the little consolations of the larder by the wayside. In a list of creature-comforts put on board a vessel leaving the Delaware for London on behalf of a Quaker preacher, are enumerated—32 fowls, 7 turkeys and 11 ducks, 2 hams, a barrel of China oranges, a large keg of sweetmeats, ditto of rum, a pot of tamarinds, a box of spices, ditto of dried herbs, 18 cocoa-nuts, a box of eggs, six balls of chocolate, six dried codfish and five shaddock, six bottles of citron water, four bottles of Madeira, five dozen of good ale, one large keg of wine and nine pints of brandy.[2] There was also more solid food in the shape of flour, sheep and hogs. Imagine a hundred emigrants so furnished; the grunting of hogs, the screaming of fowls, the bahing of sheep, the gabbling of ducks, the litter of bags and boxes, the breaking of bottles, the rolling about of barrels as the vessel heaves and falls with the movement of the water, the shouts of the sailors, the anxious and dejected faces of those about to quit forever the land which gave them birth but denies them a grave: imagine all this, and the reader has

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[1] Watson's Annals, 65.
[2] Thomas Story's MS. Papers.

a picture of the *Welcome* as she lay off Deal on the first of September, 1682, waiting the arrival of the governor.

Every thing being now arranged as to the public duties of his great mission, the Colonizer gave up his last thoughts in England to Guli and his children. In an age of easy transits, it is not easy to realize the feelings with which a man then made the voyage to America. Half a century later the Yorkshire or Devonshire squire thought it a necessary precaution to make his will before starting on a month's trip to London; but still more were such painful preparations thought needful when a man proposed to cross the Atlantic. At first Penn had wished to take his family out with him, it being his firm intention to settle in the country; but more accurate information as to the perils and privations to be encountered by the first settlers, consideration for Guli's health, then delicate, and for the education of his children, caused him to abandon this idea. Yet he was not quite at peace with himself on leaving them. Death had snatched away two of those to whose care and protection he could have entrusted them most confidently: Isaac Pennington and Lady Penn. The maternal grandmother of his little children was however a host in herself; and on Lady Springett, Thomas Ellwood, and other attached and faithful friends, he felt that he could rely in any emergency both for counsel and assistance. Yet, with these solaces, it was a bitter thing to have at last to part from his family for months—years—it might be forever; to encounter danger in strange and unaccustomed shapes, storms at sea, tropical fevers, hardships in the wilderness; more even than these—as, in the faith of an expounder of new doctrines—he was about to place himself unarmed, in the power of half-barbarians, only too much accustomed to appeal to the tomahawk and the scalping knife in their intercourse with Europeans,—and though a fervent believer in the native virtues of the Red Indian, when treated with truth and fairness, he could not help feeling that before he could have time to impress their rude minds with confidence in his integrity of purpose, some unfortunate mischance might lead to sudden and serious mischief. All these contingencies weighed on his mind; but he had taken his measures while looking them full in front: they caused him much anxiety at the hour of his departure, but they never for a moment led him to waver in his purpose.

He made his arrangements as if he were never to return. His hope was to prepare a home for those he was now about to leave behind in England, and on a future day return for them; but as, in the meantime, he was doubtful whether Providence had not designed this to be his final leave, he wrote out at considerable length his parting admonitions to his wife and children. This testament is full of wise and noble counsels, earnestly and tenderly offered.[1] As he foresaw that the Holy Experiment would be a drain on his private means, he wishes Guli to be economical, though not parsimonious, in her household. She is to make one great exception however; in the education of the children she is to spare no cost; but he desires that the education be useful and practical; Springett and William are to acquire a sound knowledge of building, ship-carpentry, measuring, levelling, surveying and navigation; but he desires that their chief attention be directed to agriculture; Letty was to pay attention to the affairs of a household as well as to the accomplishments of her sex: "Let my children be husbandmen and house-wives." In his parting moments he did not forget that his little children would one day become the rulers of his province,—and his wishes on this subject were recorded for their guidance with more than ordinary emphasis. "As for you," he writes, "who are likely to be concerned in the government of Pennsylvania, I do charge you before the Lord God and his holy angels, that you be lowly, diligent, and tender, fearing God, loving the people and hating covetousness. Let justice have its impartial course, and the law free passage. Though to your loss, protect no man against it; for you are not above the law, but the law above you. Live therefore the lives yourselves you would have the people live, and then you have right and boldness to punish the transgressor. Keep upon the square, for God sees you: therefore do your duty, and be sure you see with your own eyes, and hear with your own ears. Entertain no lurchers; cherish no informers for gain or revenge; use no tricks; fly to no devices to support or cover injustice; but let your hearts be upright before the Lord, trusting in him above the contrivances of men, and none shall be able to hurt or supplant you."

On the first of September, the *Welcome* weighed anchor at

[1] This letter was first printed in the London Chronicle in 1761.

Deal, passed the Foreland with a light breeze, and Dover Castle fading gradually from the emigrant's sight, he pushed out boldly to sea, the weather being fine and the captain promising a rapid and prosperous voyage. Penn felt lighter at heart the moment they lost sight of land. He had left behind him active and powerful enemies, as well as faithful and noble friends; and he was not sorry to escape from the atmosphere in which he had of late been constrained to live.[1] Little time, however, had he to indulge in reminiscences; events around him soon began to tax his powers of mind and body in an unexpected and extraordinary manner. While waiting at Deal they had unfortunately shipped the smallpox, that terrible ravager of the seas in those times. At first the disease developed itself rather mildly, and the voyage was continued; but before they had reached the middle of the Atlantic nearly every man, woman, and child was sick. During two or three weeks some one died every day; and the burial service never ceased for thirty hours together. Of the hundred passengers on board, more than thirty fell victims. Cramped up in narrow crowded cabins, it was impossible to prevent the contagion spreading. All the care, the attention, the stores of the governor were bestowed on the sufferers. He went into the cabins to administer medicines, and to afford the solaces of religion to the dying. In this pious labor he was greatly assisted by his friend Pearson, an emigrant from Chester; for whose services he afterwards provided a characteristic reward. Want of room and more complete medical supervision kept the malady above their power; and the first glance of the low well-wooded banks of the Delaware was hailed with the rapture of men yet struggling with the mortal dread of death. The survivors never forgot the horrors of this passage. Fifty years or more after the event, old people used still to speak of it with fear and trembling.[2]

On the 27th of October, nine weeks after the departure from Deal, the *Welcome* moored off Newcastle, in the territories lately ceded by the Duke of York, and William Penn first set foot in the New World.[3] His landing made a general

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[1] Henry Sidney's Diary and Correspondence, ii. 194.

[2] Watson, 16; Day, 300.

[3] Watson, 16; Day, 299. The landing of Penn in America is commemorated on the 24th of October, that being the date given by Clarkson; but the diligent antiquary, Mr. J. F. Watson, has found in the records of Newcastle the original entry of his arrival.

holiday in the town; young and old, Welch, Dutch, English, Swedes, and Germans, crowded down to the landing-place, each eager to catch a glimpse of the great man who had come amongst them, less as their lord and governor than as their friend. American history affords no finer subject for a great national cartoon than this scene presents. In the centre of the foreground, only distinguished from the few companions of his voyage who have yet landed, by the nobleness of his mien, and a light blue silken sash tied round his waist, stands William Penn; erect in stature, every motion indicating courtly grace, his countenance lighted up with hope and honest pride,—in every limb and feature the expression of a serene and manly beauty.[1] The young officer before him, dressed in the gay costume of the English service, is his lieutenant, Markham, come to welcome his relative to the new land and to give an account of his own stewardship. On the right stand the chief settlers of the district, arrayed in their national costumes, the light hair and quick eye of the Swede finding a good foil in the stolid look of the heavy Dutchman, who doffs his cap, but doubts whether he shall take the pipe out of his mouth even to say welcome to the new governor. A little apart, as if studying with the intense eagerness of Indian skill the physiognomy of the ruler who has come with his children to occupy their hunting-grounds, stands the wise and noble leader of the Red Men, Taminent, and a party of the Lenni Lenapé in their picturesque paints and costume. Behind the central figure are grouped the principal companions of his voyage; and on the dancing waters of the Delaware rides the stately ship, while between her and the shore a multitude of light canoes dart to and fro, bringing the passengers and merchandise to land. Part of the background shows an irregular line of streets and houses, the latter with the pointed roofs and fantastic gables which still delight the artist's eye in the streets of Leyden or Rotterdam; and further on the view is lost in one of those grand old pine and cedar forests which belong essentially to an American scene.[2] There are many fine elements for the artist's purposes in such a theme: beauty, novelty, variety, and historic interest; land, wood, water; motion, life, repose; national and personal cha-

[1] The portrait by West is utterly spurious and unlike. Granville Penn MSS.

[2] Duponceau, in one of his discourses, suggests this scene for an historical picture.

racteristics, nature in its most picturesque forms, civilization, in its highest expression—are all grouped, compared and contrasted in this striking scene.

Next day the people were called together in the Dutch court-house, when the legal formalities of taking possession were gone through to the satisfaction of all present. The deeds and charters were produced and read aloud. The agents of the Duke of York surrendered the territory in their master's name by the usual form of earth and water.[1] His great and undefined powers thus legally established, Penn rose and addressed the people amid the profoundest silence. He spoke of the reasons for his coming—the great idea which he had nursed from his youth upwards—his desire to found a free and virtuous state, in which the people should rule themselves; he then explained the nature of his powers, but assured his audience of his wish to exercise them only provisionally and for the general good. He adverted to the frame of government which he had published for Pennsylvania as containing his theory of government; and promised the settlers on the lower reaches of the Delaware that the same principles should be adopted in the organization of their territory. Every man, he said, in his provinces, should enjoy liberty of conscience and his fair share of political power; and as an earnest of his intention to proceed on fixed and just principles in the government of his colony, he ended by renewing in his own name the commissions of all the existing magistrates.[2]

The people listened to this speech with wonder and delight. They were many of them but rude and illiterate husbandmen; but that old northern instinct which had led them from the Rhine, the Elbe, the Zuyder Zee, and the Dahl to seek for freedom on the shores of the Delaware, told them a new era had commenced with the landing of the English Governor. They had but one request to make in answer to his explanations, and that was that he would reign over them in person, and with this view they besought him to annex their territory to Pennsylvania, that they might have one country, one parliament, one ruler. He promised, at their desire, to take the question of a union of the two provinces into consideration, and to submit it to the assembly which was about to meet at Upland. And so he took his leave.[3]

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[1] Hazard, v. 79. [2] Watson, 16; Besse, 123. [3] Watson, 16.

Ascending the Delaware at their leisure, enjoying the rich beauty of nature as every bend in the river brought some new charm to sight, and breathing the mild air of that climate after their terrible voyage, the adventurers soon arrived at the little Swedish town of Upland or Optland, at that time the place of greatest importance in the province. Here the governor and his friends were hospitably received and lodged in the house of Mr. Wade. The place where he stepped on shore, marked by a single pine, is still shown to the stranger with honest and patriotic pride. Wishing to mark the fact by some striking circumstance, he turned round to his companion Pearson, a man equally eminent for his free spirit and his humane virtues, and observed—"Providence has brought us safely here; thou hast been the companion of my toils; what wilt thou that I should call this place?" After a moment's thought, the modesty of Pearson not allowing him to propose his own name, he replied—"Chester; in remembrance of the city whence I came." So Penn changed the name from Upland to Chester, by which the town is still known.[1]

Markham and the commissioners had done their work so well, that in a very short time after the arrival, the first General Assembly, elected by universal suffrage, was ready to meet. As the most commodious building in Chester, the Friends' Meeting House, a plain brick edifice, fronting the Creek, and opposite to Wade's House, where Penn remained a guest, was selected for the purpose.[2] Nicholas Moore, an English lawyer, and already chairman to the Society of Traders, was elected speaker;[3] and as soon as the governor had given them assurances similar to those made in Newcastle, they proceeded with more dignity than could have been expected in so inexperienced a body to discuss, amend, and accept the Frame of Government and the Provisional Laws already published in England. The settlers in the lower territories on the Delaware sent representatives to the Assembly, and one of its first acts was to declare the two provinces united.[4] The Constitution was adopted without important alteration; and to the forty laws were added twenty-one

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[1] Day's Collection, 300, 301. [2] Day's Collection, 301. [3] Watson, 17.
[4] Proprietary Papers, B. T. v. 5. State Paper Office. For a copy of the Act of Union, see Hazard's Register, i. 480.

others, and the whole body passed in due form. The laws only regulated the practical working of the ideas and principles embodied in the Frame of Government; the chief of them providing—that every man should be free to believe in any doctrines whatever not destructive of the peace and honor of civil society; that every Christian man of twenty-one years, unstained by crime, should be eligible to elect or be elected a member of the Colonial Parliament; every child of twelve years old, rich or poor, should be instructed in some useful trade or skill, all work being honorable in a democratic state and idleness a shame; all fees of law were to be fixed at a low rate, and hung up in every court of justice; persons wrongly imprisoned were to have double damages from the prosecutor; prisons were to be changed from nurseries of vice, idleness, and misery, into houses of industry, honesty, and education. With fearless confidence, these young legislators adopted the humane views of their governor even where they seemed to be least supported by tradition and experience. The English penal laws—then and long afterwards a disgrace to our statute book—were entirely at variance with Penn's ideas; and at one stroke he blotted out the whole catalogue of crimes punished with the cord except two,—murder and treason. The Assembly passed a law embodying this humane and enlightened policy,[1] and also a general act of naturalization for aliens. There was little talk and much work in this first Pennsylvanian parliament. On the third day their session was completed, and Penn prorogued them in person. They had left their ploughs for half a week; they had met together and founded a State; they went back to their homes confident that they had secured to themselves and their posterity the blessings of civil and religious freedom.[2]

The reader of our country's history will not need to be reminded how securely the moral sentiment and state policy of England have developed themselves in the wake of these ideas. Toleration in Penn's day was only the creed of those who doubted all things: religious men, of every shade, denied it, as a suggestion of the evil spirit. Locke could ask for charity towards error, because he found no certitude in truth; but earnest, zealous Christians, holding God's Word to be infallible, could show no mercy to the unbeliever. Governor

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[1] Votes and Proceedings of the House of Representatives. [2] Watson, 17.

Bradford, one of the noblest of the Pilgrim Fathers, denounced the folly of toleration, as tending to misrule and confusion.[1] Endicott on one occasion said to his prisoner for conscience' sake—"Renounce your religion or die."[2] President Oakes "looked upon toleration as the first-born of all abominations."[3] These were all statesmen and governors: the clergy were still less charitable to error. The intolerance of the old catholic and episcopal parties in England is sufficiently well known; but it is doing them no wrong to say, that the cruelties exercised by the stern religious martyrs of the New World, on men who differed from them in the slightest degree, were not unworthy the best days of the Star Chamber and the Court of Inquisition.[4] Penn was equally before his sect and country. It is only in our own time that an act of Parliament—not freely conceded, as from just and honorable conviction, but extorted by the threat of a new civil war—has formally banished religious belief from the tests of loyalty and restrictions on the exercise of political power. It remained for Howard, Eden, and Romilly, more than a century after the Colonial Assembly first met in Chester, to introduce his humane and judicious principles into the administration of our prisons and the reformation of our penal code. And with all our wealth, power and glory as a nation, we have not yet provided for the public education of our children, or admitted every Christian man of twenty-one years, and free from crime, to the exercise of the elective franchise!

The Assembly prorogued, Penn paid a few visits to the neighboring seats of government in New York, Maryland, and the Jerseys. At West River, Lord Baltimore came forth to meet him with a great retinue of the chief persons in the province. Colonel Failler offered the hospitalities of his mansion in the Ridge, Anne Arundel county, to the illustrious visitors, and there they held a long and spirited conference; but it was found impossible to adjust their differences as to the great question of boundary, and the two proprietors separated with the resolution each to maintain his own right.[5] Penn now set himself resolutely to the work of reducing his

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[1] Hist. of Boston, 49. [2] Sewell, Hist. Quakers.

[3] Belknap's Hist. New Hampshire, i. 71-5.

[4] Compare Knowles's Life of Roger Williams, 184-9. Mass. Hist. Coll. iii. 53-5, First Series.

[5] Maryland Papers, B. T. B. C. P. 3. State Paper Office.

magnificent wilderness into a State. He had sent out a surveyor, Thomas Holme, some months before he himself left England, and this able servant, assisted by Markham and the other commissioners, had already held interviews with the Indian sachems, made extensive purchases of land, and acquired so much knowledge of the interior as to enable him to divide the whole province into counties.[1] The land was next put up for sale at four pence an acre, with a reserve of one shilling for every hundred acres as quit-rent: the latter intended to form a state revenue for the support of governor and proprietor.[2] In marking out the various estates, Penn set apart certain and equal lots for each of his children. Two manors of ten thousand acres each, he reserved as a present for his guardian, the Duke of York.[3] And in the midst of these sales and settlements it is pleasing to find that he did not forget his old friend George Fox, for whose use and profit he set aside a thousand acres of the best land in the province, free of all claims for quit-rent, costs of transfer, or even of title-deeds.

But the subject which occupied his most serious thoughts, was the site for his new city. Markham and others had collected a variety of information bearing on the point, according to his express instructions.[4] There were not wanting men who wished to see Chester made the capital of the province; but the surveyor, Thomas Holme, agreed with Penn, that the best locality, in almost every respect, was the narrow neck of land lying at the junction of the Delaware and the Schuylkill.[5] These rivers were both navigable, at least for small vessels; the Delaware being a noble stream, and the Schuylkill at that time as broad at its mouth as the Thames at Woolwich.[6] In other respects the site met his preconceived requirements:—facing the minor stream, the bank was bold and high, the air pure and wholesome, the neighboring lands were free from swamp, clay for making into brick was found on the spot, and immense quarries of good stone abounded within a few miles. These advantages not being found elsewhere, Penn soon decided in its favor, and taking an open boat at Chester creek, dropped down the river to the spot

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[1] Penn to Sunderland, July 28, 1683. [2] Watson, 13.
[3] Penn to Lord Hyde, February 12, 1683.
[4] A copy of these instructions is printed in Penn. Hist. Soc. Mem.
[5] Day's Collections, 544-6. [6] Penn to Sunderland, July 28.

then called by the Indians, Wecacoac.[1] The land was owned by three worthy Swedes, from whom the governor purchased it on their own terms; and then with the assistance of Holme drew out his plan. In everything that related to his Holy Experiment, Penn thought on a grand scale. Not content to begin humbly, and allow house to be added to house, and street to street, as the exigences of the day might require, he had formed the whole scheme of his city—its name, its form, its streets, its docks and open spaces—fair and perfect in his mind, before a single stone was laid, or a pine-tree had been felled to make room for it.

According to the original design, Philadelphia was to have covered with its houses, squares, and gardens, about twelve square miles. Two noble streets, one of them facing an unrivalled row of red pines, were to front the rivers; a great public thoroughfare alone separating the houses from their banks. These streets were to be connected by the High Street, a magnificent avenue, perfectly straight, and a hundred feet in width, to be adorned with lines of trees and gardens surrounding the dwelling-houses. At a right angle with the High Street, Broad Street, of equal width, was to cut the city in two from north to south. It was thus divided into four sections. In the exact centre a large public square of ten acres was reserved; and in the middle of each quarter a similar square of eight acres was set apart for the comfort and recreation of posterity. Eight streets, fifty feet wide, were to be built parallel to Broad Street, and twenty of the same width, parallel to the rivers.[2] He encouraged the building of detached houses, with rustic porches and trailing plants about them; his desire being to see Philadelphia "a greene country towne."[3]

The arrivals began to increase rapidly ere a house was built or a cave dug in which to shelter the comers from the cold of winter. As soon as it was known that the Governor had set out for his province, hundreds of persons in the old country prepared to follow him; and since the spring not less than twenty-three vessels had entered the Delaware, filled with immigrants, most of them anxious to remain at the new city.[4] The suffering of these people must have been great,

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[1] Day's Collections, 546.
[2] Day's Coll. 544.
[3] Holme's Portraiture of Philadelphia, 1683-4.
[4] Watson, 17.

but they bore it with exemplary resolution. In the high bank of the Schuylkill nature had formed a number of caves, and these were now eagerly seized by some of the colonists, and made as habitable as circumstances would permit; others encamped under the branches of the huge pines, and he blessed his stars who had been fortunate enough to secure the shelter of a tree in the vicinity of the house he was building.[1] Nothing could daunt their spirits. Delicate women, used to all the luxuries of the earth in England, went out to help their fathers and husbands; they brought in wood and water; they cooked with their own hands; they tended sheep and pigs, game and poultry, with the alacrity of negroes; some of them acted as laborers while the house was building, anxious to carry mortar, or lend a hand to saw a block of wood.[2] If a murmur ever once arose, the thought of that "woful Europe" which they had left behind, soon checked it; and all worked on cheerily. Before such enthusiasm every obstacle must give way; and in a marvellously short space of time every family had found some sort of shelter from the fury of winter.[3]

The first place completed was used as a tavern, a ferry-house, and general place of business. For many years the Blue Anchor maintained a high reputation in the province; beer-house, exchange, corn-market, post-office, and landing-place, all combined, this house soon became the key of the infant city, and was intimately connected with the leading incidents of its early history. This important building was formed of large rafters of wood, the interstices being filled with bricks brought from England, in the manner of Cheshire houses of the Tudor and Stuart periods. It had twelve feet of frontage towards the river, and it stood full twenty-two feet backwards into what was afterwards called Dock Street.[4] The modern magnates of Philadelphia may smile at the humble dimensions of a house of so much interest to their ancestors, but posterity will feel forever grateful to the founder of the city, that in an age of means so limited, and results so small, he still clung to his own grand conceptions, and laid down the outlines of his city with as much order and prescience as if he had been conscious that he was rearing the capi-

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[1] Story, MSS.
[2] Ibid. Watson, 52-3.
[3] Penn to the Society of Traders, August 16.
[4] Watson, 124.

tal of a mighty empire. Other houses, such as they were, were soon completed. Within a few months of the foundation, Penn could announce to the Society of Traders that eighty houses and cottages were ready; that the merchants and craftsmen had fallen into the regular exercise of their callings; that the farmers had laid out and partly cleared their lands; that ships were continually arriving with goods and passengers; and that plentiful crops had already been obtained from the soil.[1] A spirited settler, named Carpenter, built a fine quay, three hundred feet long, by the side of which a vessel of five hundred tons could be safely moored. The first mayor of the town made a rope-walk; and stone houses, with pointed roofs, balconies, and porches, soon ceased to excite wonder.[2] In one year from Penn's landing at New Castle, a hundred houses had been built, the whole plan of the future city laid out, sixty vessels of light or heavy tonnage had arrived in the Delaware, and more than three hundred farms were well settled.[3] Two years later there were already six hundred houses in Philadelphia.[4] The Governor's correspondence with his friends in England is full of honest exultation. To Lord Halifax he writes—"I must, without vanity, say, I have led the greatest colony into America that ever any man did on private credit;"[5] and to Lord Sunderland he says —"With the help of God and such noble friends, I will show a province in seven years equal to her neighbor's of forty years' planting."[6]

But the material growth of his city occupied only a part of Penn's attention. He took early and regular steps for the protection of morals and the promotion of arts and scholarship. Before the pines had been cleared from the ground he began to build schools and set up a printing press.[7] These were not the least marvellous of the novelties introduced into Philadelphia. In other American settlements such luxuries had slowly followed in the wake of great physical prosperity. In December, 1683, Enoch Flower opened his school in a rude hut, formed of pine and cedar planks, and divided into two apartments by a wooden partition. The

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[1] Penn to Free Society of Traders, August 16, 1683.
[2] Watson, 66, 67. [3] Penn to Lord North, September 1683.
[4] Turner to Penn, Aug. 3, 1685. [5] February 9, 1683. [6] July 28, 1683.
[7] Penn. Hist. Soc. Mem. i. 101. An able article on the early literary history of Pennsylvania, by Thomas J. Wharton.

Philadelphian of the present age, educated in the elaborate courses of Girard's College, may smile at the simplicity of Enoch's charges and curriculum, though his ancestors thought even such small matters worthy of a place in their minutes of council: "To learn to read, four shillings a quarter: to write, six shillings: boarding a scholar, to wit—diet, lodging, washing and schooling, ten pounds the whole year."[1]

Six years afterwards a public school or college was founded, in which the famous George Keith was the first master. The office of teacher was held in the highest estimation. He was allowed fifty pounds a year, a house for his family, and a set of school-rooms, over and above all the profits made by the scholars; in addition to which he received a guarantee that his total income should never fall below a hundred and twenty pounds in any year—a very considerable sum in those days in a society so small and primitive in its habits.[2] William Bradford, a native of Leicester, who went out with Penn in the *Welcome*, was the first printer to set up his art in the colony. It is worthy of remark that in Massachusetts, where learning and the arts have ever been cultivated with success, no book or paper was printed until eighteen years after its settlement; in New York seventy-three years elapsed ere a press was got to work; in every other colony founded by England the interval was much greater: the governors of Virginia and Maryland set their faces against it in pious horror.[3] The first book printed in Philadelphia was an Almanac for 1687, and must therefore have been printed in the preceding year. The schism of George Keith soon found more exciting work for Bradford, and from that time forward there was no rest for the printing-press in Pennsylvania.[4] Another institution which he established deserved to be classed with his intellectual legislation. The post-office had been at work in England but a few years; yet so convinced was Penn of its utility that he at once issued his orders to Henry Waldy to run the post and supply travellers with horses. It is interesting to go back a few years and see how things were managed in the good old times. From the Falls of Trenton to Philadelphia the carriage of a letter was charged three-pence—to Chester five-pence—to Newcastle seven-pence—

[1] Quoted in Proud, i. 345. [2] Penn. Hist. Soc. Mem. i. 103.
[3] Ibid. i. 104, 105.
[4] Thomas, Hist. of Printing; also Penn. Hist. Soc. Mem. i. 105 et seq.

to Maryland nine-pence; from Philadelphia to Chester two-pence—to Newcastle four-pence—to Maryland six-pence. The post travelled once a week![1]

A curious trial which happened a few months after the arrival of the *Welcome*, served in its way to show the settlers that a new era had commenced. A wretched old woman was brought into court on an accusation of witchcraft a few days after Enoch Flower had opened his school. The poor Swedes had come out to the new world with the superstitious terrors of their northern solitudes fresh in their minds—and the woman being a restless and troublesome creature, they took it into their heads that she must be a witch. It is but fair to these poor Swedes to say that wiser people than themselves believed in witchcraft both then and long afterwards. At that very period, Cotton Mather, after coquetting himself with the evil spirit, began to pursue witches with the fury of one possessed in the polished cities of Boston, Salem, and other places in Massachusetts.[2] Learned divines both in America and in England printed their belief in "a God, a devil—and witchcraft;" even the enlightened Richard Baxter reprinted in England the rubbish written by Mather in America, accompanied by his own confession of faith in the statements put forth. George Fox, as is well known, believed in witches and in his own power to contend with and overcome them; and judges of civilized nations sent old women to the stake for this offence fifty years later.[3] No wonder then that a few ignorant Swedes, in a land of intellectual darkness, should have preferred such a charge against a troublesome old woman, whose conduct was to them equally annoying and unintelligible. It was fortunate for the prisoner that she was not to be tried for her life at Charlestown or Boston.

Penn presided at the trial, and to provide against any dissatisfaction with the verdict, the jury was composed partly of English and partly of Swedes. The whole case was gone into; witnesses, sadly ignorant and vindictive for the most part, were examined and re-examined; the governor summed up and the jury retired to find a verdict against the woman of being guilty of having the common reputation of witchcraft, but not guilty in manner and form as she stood indicted. Her

[1] Pemberton MSS. Watson, 626. [2] Mather's Discourse, p. 10.
[3] Voltaire's Louis XIV. c. 29. Addison in Spectator, No. 117. Blackstone. iv. 60.

friends were simply required to give securities for her that she would keep the peace.[1] From that day to this, we are assured by Bancroft, no hag has ever ridden through the air on goat or broomstick in Penn's domain, and the blackest dealers in magic have pretended to no power beyond the art of telling fortunes to servant girls, muttering charms over quack medicines, or finding with the divining rod the lost treasures of the buccaneers.[2]

While these concerns were in progress, Penn held much and cordial intercourse with the Indians. Putting away the formal stiffness of English manners, he won their simple hearts by his easy confidence and familiar bearing. He walked with them alone into the forests. He sat with them on the ground to watch the young men dance and perform their exercises. He joined in their feasts, and ate of their roasted acorns and hominy. When they expressed their rapturous delight at seeing the great Onas—the native name of Penn—imitate their national customs, not to be outdone in any of those feats of personal prowess which the Red Men value so highly, he rose from his seat, entered the list with the leapers, and beat them all; at seeing which the younger warriors could hardly control the extravagance of their admiration.[3]

Colonel Markham had already completed his purchase of land, and entered with the natives into a treaty of peace and amity.[4] When he had explained to them the beneficent intentions of the great man who was coming to live and trade with them; when he had told them that, although his King had granted him the whole country, from the Cape of Henlopen to those distant regions stretching away beyond the great mountains to the northern lakes, of which they had some remote tradition, still he would not take from them by force a single rood of their ancient hunting-grounds, but would buy it from them with their full consent and goodwill; when he had told them the great Onas would never allow his children to wrong the Indians, to cheat them of their fish, their wild game, or their beaver skins by lies in the market-

[1] Colonial Records, i. 40. [2] Bancroft, ii. 391.

[3] Mrs. Preston in Watson, 73. Mr. Watson is alarmed at "such light gayety in a sage governor and a Christian chief." I see in this incident a trait in perfect keeping with all the rest of his character.

[4] Smith's Laws of Pennsylvania, 109.

place, or refuse to pay them the fair price for every article purchased; that in his just mind he had ordained that when a quarrel arose between a white man and a red one, twelve men, six Indians and six English, should meet together and judge which of them was in the right, and settle the matter accordingly; and finally, when he had laid before them the presents which he had brought as a sign of amity and good-will, the sachems gave the wampum belt to the young colonel, and replied with the emphasis of sincerity, "We will live in peace with Onas and his children as long as the sun and moon shall endure."[1]

Beyond this purchase Penn felt that, for the moment, it would be eminently unwise to urge the natives. Their hunting-grounds were dear to them, though of little use. Had he shown an eager desire to possess their lands before he had personally acquired their friendship, suspicions would have been engendered in their minds, not easily to be allayed afterwards. The experiment he had to conduct was so novel that the minutest circumspection was needful at every step. It would have been madness to risk offending the Iroquois, while the settlers refused to wear arms even in their own defence. It was not until he had been upwards of seven months in the country that he made fresh proposals for the purchase of their unoccupied lands, though more than one treaty of peace and amity had been made by his lieutenant and the commissioners before his arrival. As he had now become intimate with Taminent and other of the native kings, who cordially approved of these treaties, seeing in them great advantages for their own people, he proposed to hold a solemn conference with the chiefs and warriors, to confirm the former treaties and form with them a lasting league of peace and friendship.[2]

On the banks of the Delaware, in the suburbs of the rising city of Philadelphia, was a fine natural amphitheatre, used from time immemorial as a place of meeting for the native tribes. The name of Sakimaxing—now corrupted by the white men into Shackamaxon—has a royal signification, meaning the locality of kings.[3] At this spot stood one of those glorious

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[1] Smith's Laws of Pennsylvania, 109. MS. Address to the Indians. The right of a foreigner to have a jury, *de mediatate linguæ*, was disputed in the courts, but a judicial decision confirmed its legality. Dall. Reports, 73.

[2] Penn. Hist. Soc. Mem. iii. Part ii. 145-204.

[3] Ibid. 183, where this etymology is defended.

elms which so pre-eminently mark the forests of the New World. It was already one hundred and fifty-five years old;[1] under its spreading branches friendly nations had been wont to meet, to arrange differences, and smoke the calumet of peace, long before the pale faces had landed on those shores. With the tact which ever distinguished him, Markham had appointed this locality for his first conference with the Indians; and the land commissioners wisely followed his example. Old traditions had made the place sacred to one of the contracting parties,—and when Penn proposed his solemn conference, he named Sakimaxing as a matter of course for its locality.[2]

This conference has become one of the most striking scenes in history. Artists have painted, poets have sung, philosophers have applauded it; but it is nevertheless clear, that in words and colors it has been equally and generally misrepresented, because painters, poets, and historians have chosen to draw on their own imaginations for the features of a scene, every marking line of which they might have recovered from authentic sources.

The great outlines of nature are easily obtained. There the dense masses of cedar, pine, and chestnut, stretching far away into the interior of the land; here the noble river rolling its waters down to the Atlantic ocean; along its surface rose the purple smoke of the settlers' homesteads; on the opposite shores lay the fertile and settled country of East New Jersey. Here stood the gigantic elm which was to become immortal from that day forward,—and there lay the verdant council chamber formed by nature on the surface of the soil. In the centre stood William Penn; in costume undistinguished from the surrounding group, save by the silken sash. His costume was simple, but not pedantic or ungainly. An outer coat, reaching to the knees, and covered with buttons; a vest of other materials, but equally ample; trousers extremely full, slashed at the sides, and tied with strings or ribbons; a profusion of shirt sleeve and ruffles,—with a hat of the cavalier shape (wanting only the feather), from beneath the brim of which escaped the curls of a new peruke,—were its chief and not ungraceful ingredients.[3] At his right hand stood Colonel

[1] Penn. Hist. Soc. Mem. i. 97.

[2] The site of the Great Treaty has been much disputed. I believe in Shackamaxon. The evidence is collected by Day, 548; Watson, 125; and Vaux in Penn. Hist. Soc. Mem. i. 79 et seq.

[3] Penn. Hist. Soc. Mem. iii. Part ii. 76.

Markham, who had met the Indians in council more than once on that identical spot, and was regarded by them as a firm and faithful friend; on his left Pearson, the intrepid companion of his voyage; and near his person, but a little backward, a band of his most attached adherents. When the Indians approached in their old forest costume, their bright feathers sparkling in the sun, and their bodies painted in the most gorgeous manner, the governor received them with the easy dignity of one accustomed to mix with European courts. As soon as the reception was over, the sachems retired to a short distance, and after a brief consultation among themselves, Taminent, the chief sachem or king, a man whose virtues are still remembered by the sons of the forest, advanced again a few paces, and put upon his own head a chaplet, into which was twisted a small horn; this chaplet was his symbol of power; and in the customs of the Lenni Lenapé, whenever the chief placed it upon his brows, the spot became at once sacred, and the person of every one present inviolable.[1] The venerable Indian king then seated himself on the ground, with the older sachems on his right and left; the middle-aged warriors ranged themselves in the form of a crescent, or half-moon, round them; and the younger men formed a third and outer semicircle. All being seated in this striking and picturesque order, the old monarch announced to the governor that the natives were prepared to hear and consider his words.[2] Penn then rose to address them, his countenance beaming with all the pride of manhood. He was at this time thirty-eight years old; light and graceful in form; "the handsomest, best-looking, most lively gentleman" she had ever seen, wrote a lady who was an eye-witness of the ceremony.[3] He addressed them in their own language; the topics were few and simple; and the beauty of his ideas would compensate with such an audience for the minor errors of diction.[4] The Great Spirit, he said, who ruled in the heaven to which good men go after death,

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[1] Heckwelder, Hist. of Six Nations.

[2] Penn to Sunderland, July 28, 1683.

[3] Mrs. Preston in Watson, 72. West's picture is abominable. Penn is represented as an ugly, fat old fellow,—and the costumes are half a century out of date.—Clarkson, who had conversed with West on the subject [Penn. Hist. Soc. Mem. iii. Part ii.], wrote his description to agree with the painting. It is full of errors. The essay by Messrs. Fisher and Duponceau is quite convincing. Penn. Hist. Soc. Mem. iii. Part ii. 145.

[4] Penn to Society of Traders, August 16, 1683.

who had made them and him out of nothing, and who knew every secret thought that was in the heart of white man or red man, knew that he and his children had a strong desire to live in peace, to be their friends, to do no wrong, but to serve them in every way to the extent of their power. As the Great Spirit was the common Father of all, he wished them to live together not merely as brothers, as the children of a common parent, but as if they were joined with one head, one heart, one body together; that if ill was done to one all would suffer, if good was done to any all would gain. He and his children, he went on to say, never used the rifle or trusted to the sword; they met the red men on the broad path of good faith and goodwill. They intended to do no harm, and they had no fear in their hearts. They believed that their brothers of the red race were just, and they were prepared to trust in their friendship.[1]—He then unfolded the writing of the treaty of friendship, and explained its clauses one after the other. It recited that from that day the children of Onas and the nations of the Lenni Lenapé should be brothers to each other,—that all paths should be free and open,—that the doors of the white men should be open to the red men, and the doors of the red men should be open to the white men,—that the children of Onas should not believe any false reports of the Lenni Lenapé, nor the Lenni Lenapé of the children of Onas, but should come and see for themselves as brothers to brothers, and bury such false reports in a bottomless pit,—that if the Christians should hear of any thing likely to be of hurt to the Indians, or the Indians hear of any thing likely to harm the Christians, they should run, like true friends, and let the other know,—that if any son of Onas were to do any harm to any red skin, or any red skin were to do harm to a son of Onas, the sufferer should not offer to right himself, but should complain to the chiefs and to Onas, that the justice might be declared by twelve honest men, and the wrong buried in a pit with no bottom,—that the Lenni Lenapé should assist the white men, and the white men should assist the Lenni Lenapé, against all such as would disturb them or do them hurt,—and lastly, that both Christians and Indians should tell their children of this league and chain of friendship, that it should grow stronger and stronger, and be kept bright and clean, without rust or spot,

[1] Penn. Hist. Soc. Mem. iii. Part ii. 189.

while the waters ran down the creeks and rivers, and while the sun and moon and stars endured.[1] He then laid the parchment on the ground. What King Taminent replied is not known, except that, in substance, he was favorable to the views of Penn. The sachems received his proposal with decent gravity, and accepted it for themselves and for their children. No oaths, no seal, no official mummeries were used; the treaty was ratified on both sides with a yea, yea—the only one, says Voltaire, that the world has known, never sworn to and never broken.[2]

This scene, celebrated in Europe by painters, poets, and historians, ever dear to the young and hopeful, and serving on every occasion to point a moral and adorn a tale, remained to the two races who were witnesses and actors in it, an inheritance of goodwill and honorable pride for an entire century. From year to year, says the venerable historian of the Six Nations, Heckewelder, the sachems assembled their children in the woods, in a shady spot as like as they could find to that in which the great Onas had conferred with them, when they would spread out his words or speeches on a blanket or clean piece of bark, and repeat the whole again and again to their great satisfaction.[3] In a few years Penn, going beyond seas and never returning, became to them a sort of mythical personage; they not only held his memory in the greatest veneration, but treated the whole body of white men with more kindness for his sake. To be a follower of Onas was at all times a passport to their protection and hospitality.[4] Nor have his own countrymen been less indebted or less grateful to the Great Treaty. To it, and to the strictness with which its provisions were maintained by Penn, is owing that striking fact recorded by Bancroft—that while every other colony in the new world was visited in turn by the horrors of Indian warfare, no drop of Quaker blood was ever shed by a red man in Pennsylvania.[5] It is humiliating to the pride of the white man to think that one of his race should have been the first to break this noble league of peace. Forty years after the

[1] No full report of the proceedings at this meeting has come down, and no copy of the treaty is extant. Governor Gordon's speech to the Indians, May 20, 1728, preserves the heads.

[2] Dict. Phil. Article *Quaker*.

[3] Quoted by Duponceau and Fisher, Penn. Hist. Soc. Mem. iii. Part ii.

[4] Watson's Annals. Oldmixon (British Empire), i. 171.

[5] Bancroft, ii. 383.

famous treaty, and five years after the death of Onas, one of his unworthy children murdered the first red man who lost his life in Pennsylvania. The deed was attended with circumstances of unusual atrocity; but it shows in a striking light the power of a noble sentiment, that the Indians themselves prayed that the murderer's life might be spared.[1] It was spared; but he died in a very short time, and they then said, the Great Spirit had avenged their brother. The venerable elm-tree under which the meeting took place served to mark the spot until the storm of 1810 threw it to the ground. It measured twenty-four feet in girth, and was found to be then two hundred and eighty-three years old. A piece of it was sent home to the Penn family, by whom it was mounted on a pedestal with appropriate inscriptions; and the remainder was manufactured into vases, work-stands, and other relics, now held sacred by their possessors.[2] A plain granite monument has since been erected on the spot, inscribed on each face with four short and simple sentences commemorative of the Great Treaty.[3]

While the elections were taking place throughout the province for the new Assembly, the first child of English parents was born; the family burrowed at the time in one of the caves, and Penn marked the event by bestowing on the infant a plot of ground. To the day of his death this man, Key, was known as the first-born of the colony.[4] When the elected members met together, the governor found an example of the inutility of making fixed laws and constitutions for a political society at a distance; for instead of the full number of members indicated in the law, each county had sent up only twelve men to represent it, three for the council and nine for the assembly—making in all seventy-two persons, no more than the number originally fixed for the council. They bore with them a written statement of the reasons which had led the electors to disregard the letter of the writs issued in the then state of affairs in the colony, which statement concluded with a prayer that this act of self-judgment might not cause the

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[1] Gordon, 188. [2] Penn. Hist. Soc. Mem. i. 97.

[3] Day's Coll. 551. The State of Pennsylvania has recently voted a sum of 5000 dollars to purchase the plot of ground on which the great elm formerly stood,—and a slip from the old tree was planted on the spot, and is now in a flourishing state. Communication from Horatio G. Jones, Esq., Foreign Secretary to the Penn. Hist. Soc.

[4] Hazard, ix. 112.

proprietor to think of altering their charter. Penn was no formalist; and as they had come up with full parliamentary powers, he told them they were at liberty to amend, alter or add to the existing laws for the public good, as he was not wedded to his own forms, but would consent to any changes which they might wish to make, if he could do so with a strict regard to the powers vested in him by his sovereign.[1]

The council and assembly were then organized, and the latter being left to its legislative labors, appointed Thomas Wynne as its Speaker, and proceeded to consider, amend and pass several bills of pressing importance. Some parts of the Frame of Government had been found to act as a restraint on the freedom of the assembly, especially that clause which reserved to the governor and his council the sole right to propose laws. From the first day of meeting, the assembly set this restriction at nought, and in return they wished to invest the governor with a veto on all the doings of the parliament. This last was indeed absolutely necessary, for as the King's sanction was required to make every act of the colonial legislature binding, it was obvious enough that no law would be received in England which came unsupported by the governor's concurrence.[2] These and other points in which a change seemed desirable were discussed at great length. Amendments were suggested and new outlines drawn up. The House was especially anxious to obtain the privilege of conference with the governor. At length the opinion was expressed that it would be the wisest plan to throw themselves on the liberality of their chief, and pray him to allow them to construct a new charter for themselves, on the broad principles laid down in the Frame of Government, but in other respects to be the growth of the New World, and to bear date from the capital of the province.[3]

This request amounted in fact to a transfer of the legislative power from the council to the assembly; and Penn saw with no little uneasiness the grasping spirit of his little democratic parliament. He called his council together and laid before them the prayer of the assembly. Had this body been composed of its complete numbers, it would probably have resisted the encroachment, but in its present state it feared to

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[1] Penn to Crisp. February 28, 1684. MS. Proud, Hist. of Penns.
[2] Votes and Proceedings, 10. [3] Votes and Proceedings, 20.

enter into a controversy with the larger house of representatives, and advised that an open conference should be held to ascertain the general opinion. The assembly was then summoned, and the governor asked them distinctly, yea or nay, whether they desired to have a new charter. They replied—yea, unanimously. He then addressed them in a few words: —He expressed his willingness to meet all their wishes, and gave his consent to the revision of the charter; but at the same time he calmly told them they should consider their own duty as well as his desire to oblige them, and he hoped it would not be made difficult to reconcile the two in the rearrangement of the constitution.[1]

A general committee being appointed to draw up a new charter, in ten days it was prepared, and on the 30th of March, 1683, it was read, approved, and signed by the proprietor—subject, of course, to the revision of the crown lawyers in England. The provincial council was reduced to eighteen—the assembly to thirty-six. The governor and council still retained the initiative of bills; but the assembly obtained some privileges and left the way open for the acquisition of more as circumstances might favor their designs. The constitution remained essentially the same. All power was vested in the people. They elected members of council and members of assembly. The judges were also elected to their seats; and the governor had not even power to suspend them during the term for which they were commissioned. In the neighboring state of Maryland, Lord Baltimore at his own will appointed all the magistrates, the officers of government, the members of council, and indeed every other class of functionaries. Penn could not name a street-sweeper or a parish-constable. "I purpose," he explained to an intimate friend, "to leave myself and successors no power of doing mischief, that the will of one man may not hinder the good of a whole country."[2]

The assembly established courts of justice for each county with the proper officers to each; they voted an impost on certain goods exported or imported, for the governor's support, which he acknowledged in a most grateful manner, but declined; he would hear of no imposts, and the tax-gatherer

[1] Penn to Crisp. February 28, 1684, MS. Council Books in Hazard's Register, i. 16 et seq.

[2] Penn to Turner, April 12, 1681. M'Mahon, 156.

was for years and years an unknown institution in Pennsylvania.[1] To prevent law-suits, three peace-makers, or arbitrators, were chosen by every county-court to hear and settle disputes between man and man according to the right. Law was to be resorted to only as a last resource. Twice a year an orphans' court was to meet in each county to inquire into and regulate the affairs of all widows and orphans. Is this a page of Harrington or More? No: simply an extract from the votes and proceedings of the first legislators in the land of Penn.[2]

The little parliament having finished its labors and adjourned, the governor made a journey up the river to a spot where Markham was then engaged in building him a house, afterwards called Pennsbury, and famous as his family residence, to inspect the work; the time, however, was near when he had agreed to meet the Lord Baltimore at Newcastle and renew the discussion of the boundary question. They met in due course, but with no greater success than the year previous. There is little doubt but that, according to the terms of their several grants, both proprietors could legally claim the territory in question; and neither of them felt inclined to surrender what he deemed his just right without a struggle.[3] As soon as the conference was over, Lord Baltimore, in evident bad faith, wrote off to Secretary Blaythwaite and to the Marquis of Halifax, an account of the interview, giving it of course in such a way as to serve his own interests most effectually at the distant court.[4] The Catholic nobleman had never been without powerful friends at Whitehall, even in the darkest days of the Popish Plot; but the interest of the persecuted faith was again in the ascendant, and the regard of the Duke of York for his uncompromising fellow-papist was well known. As soon as Penn learned that his rival had written to London without his privity, he suspected that he had not conveyed an impartial report of what had taken place between them, and instantly sat down and wrote to the Board of Trade. He expressed his surprise that the Lord Baltimore should have proceeded to give a report of their conference without his

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[1] Penn to Society of Traders, August 16, 1683.

[2] Votes and Proceedings. Also Letter to Society of Traders.

[3] Maryland Papers, B. T. 1. B. C. P. 21. Pennsylvania Papers, B. T. 1. State Paper Office.

[4] Maryland Papers. Baltimore's Letter, July 11, 1683. State Paper Office.

knowledge and consent, protested against its being received as a fair report, and proceeded to give his own version of the meeting at full length.[1] Not satisfied with this, he sent his cousin Markham as his agent to the court in London, provided with letters to the King himself, to the Earl of Sunderland, to Henry Sidney, and to the officers of the colonial department; that he might be represented on the spot by one in whose truth, judgment, and fidelity he had a perfect confidence.[2] In the early spring Baltimore himself, willing to exercise the whole weight of his personal influence at court, quitted Maryland and repaired to London; a movement which suggested to his adversary the necessity of being likewise on the spot, even had causes of deeper and more painful interest than the loss of a few hundred miles of territory not began to crowd upon him.[3] About the time that Lord Baltimore departed from the colony, letters from England arrived, bringing with them an extraordinary combination of calamities. His wife Guli was seriously ill; his noble friend Algernon Sidney had just perished on the block; Shaftesbury and Essex were in prison; persecution of nonconformers had begun to rage with unexampled fury; Oxford had put forth the doctrine of passive obedience; and his own enemies and enviers had spread malicious and unfounded reports against his honor and reputation. He felt that it was absolutely necessary to be in England [4]

His arrangements for departure were soon made. He summoned the chiefs of all the Indian tribes in the vicinity of Pennsbury, and concluded with each a separate treaty of peace and friendship for his people. He told them he was going beyond the seas for a little while, but would return to them again if the Great Spirit permitted him to live. He begged of them to drink no more fire-water, and forbad his own subjects to sell them brandy or rum; he put them into the ways of honest trade and husbandry, and obtained from them a solemn promise that they would live at peace and amity with each other and with the Christians. The new city engaged his daily thoughts; and he had some comfort in seeing this har-

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[1] Pennsylvania Papers, August 6. State Paper Office.

[2] Penn to Bridgeman, August 1. America and West Indies Papers. State Paper Office.

[3] Letter to Leoline Jenkins, April 6, 1684. Ibid.

[4] Penn to Crisp. February 28, 1685, MS. Ellwood, 325.

bor of refuge steadily rising from the ground as the dark intelligence from Europe made it more and more needful as a place of shelter to the children of oppression.

The brig *Endeavor* being now ready to leave the Delaware, he named a mixed commission to conduct the affairs of government in his absence,—consisting of Thomas Loyd, president; Colonel Markham, who was to return immediately, secretary; assisted by Thomas Holme, James Claypole, Robert Turner, and two or three others. He then went on board, whence he addressed to Thomas Loyd and the rest a parting letter, in which he thus apostrophises the city of his heart:—

"And thou, Philadelphia, the virgin settlement of this province, named before thou wert born, what love, what care, what service, and what travail has there been to bring thee forth and preserve thee from such as would abuse and defile thee! My soul prays to God for thee, that thou mayest stand in the day of trial, that thy children may be blessed of the Lord, and thy people saved by His power."[1]

CHAPTER IX.

1684–1688.

DAY OF COURT INFLUENCE.

When Penn arrived in England it was some consolation in the midst of misfortune to find his wife convalescent and the children well.[2] When Guli felt herself ill, and her husband at such a distance, she wrote for her old friend Ellwood to come to Worminghurst and take charge of her affairs; but he had recently written a book, which a zealous friend, William Ayrs, barber and apothecary, had circulated among his customers; one of whom, Sir Benjamin Tichhorn, a justice of the peace, after reading it carefully, thought it contained matter dangerous to the public weal, and thereupon summoned him to appear before the Bench. With the summons in his hand, Ayrs ran off to Ellwood, who told him to be of good cheer, as he would

[1] Letter to Thomas Loyd, August, 1684.
[2] Penn to Margaret Fox, October 29.

come forward on the day of trial and own himself to be the writer. Shortly after giving this assurance, the letter from Guli arrived. Honor forbad him to fly to Worminghurst and leave the barber to answer for his book; yet if he stayed, his friend's wife might die before the trial, even should he not be then cast into prison. After a little thought, he resolved to ride over and take council with the justice; Thomas Fotherly, also a magistrate, happened to be there: they spoke to him very harshly, and were about to commit him, when it occurred to them to ask why he had appeared before the appointed day. Ellwood stated the reason:—"while I thus delivered myself," he writes in his memoirs, "I observed a sensible alteration in the justice, and when I had done speaking, he said he was very sorry for Madam Penn's illness (of whose virtues and worth he spoke very highly, but not more highly than was her due): then he told me that for *her sake* he would do what he could to further my visit. But, he added, I can assure you the matter which will be laid to your charge is of greater importance than you seem to think; for your book has been laid before the King and Council, and the Earl of Bridgewater hath given us command to examine you about it and secure you." On giving his word to appear at a stated time they allowed him to depart.[1] When he arrived in Sussex, Guli was much better, and as she steadily improved, when her husband landed on the coast, within seven miles of his own house, she was able to meet him with outstretched arms and overflowing heart.[2]

After passing a day or two in the bosom of his family, Penn went to Newmarket to pay his court to the royal brothers; there he saw the King and the Duke of York, both of whom received him kindly, and assured him that justice should be done in the great boundary question.[3] Baltimore was on the spot to support his claims; but the King's health was now failing rapidly, and the affair was suffered to languish,—both parties probably hoping more from the justice or friendship of his royal brother.[4] Meanwhile the proprietor of Maryland, feeling that possession was nine parts of the law, and knowing that his neighbor could not with his notions of passive resist-

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[1] Ellwood, 325–35. [2] Penn to Margaret Fox, October 2.

[3] Apology in Penn. Hist. Soc. Mem. iii. Part ii. 235.

[4] From June 30 to February 13, there is no trace of the dispute in State Paper Office.

ance oppose force to force, ordered his relative Colonel Talbot to seize the territory in dispute and hold it in his name against all comers. With three musqueteers this agent invaded some farm-houses, proclaimed Lord Baltimore proprietor, and threatened to expel any one who refused to admit his claim or to pay their rents to his agents.[1] He even threatened to make a descent on Newcastle; but the Government of Pennsylvania having issued a declaration of their proprietor's right over the disputed tract, and announced its intention to prosecute the authors of the recent outrage in the English courts of law, Talbot and his master thought better of their proceedings and remained quiet. The feint of war, however, probably answered its chief purpose, that of raising suspicions in England as to Penn's pacific ideas. Absurd as it may appear, the moment this disturbance was heard of, it was rumored that the preacher of peace had excited a civil war in the colonies, had mounted guns and fortified his towns, had issued commissions and raised an army. Some of his own sect even lent an ear to these reports.[2] The governor was fortunately on the spot to contradict them: he explained that when he went to America a few old guns were lying on the green by the Session-house at Newcastle, some on the ground, others on broken carriages, but that there had been no ball, powder, or soldier there from the day he landed; and he could no more be charged with warlike propensities on their account, than a man could who happened to buy a house with an old musket in it.[3]

On the 6th of February King Charles the Second breathed his last; his brother promising to maintain the Church and State as then existing, to respect the property of his subjects, and to exercise the clemency which became a prince, succeeded quietly to the throne.[4] The late reign had been in most respects disastrous for England: unblushing vice had reared its head in the highest places, and the first rank of the peerage had been filled with wantons; the honor of the country had been sold by its sworn defender to the enemy of its freedom and its faith; persecution had ravened through the land, destroying or driving away the most conscientious, orderly, and

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[1] Penn to Duke of York, June 8, 1684.
[2] Penn to Crisp, February 28, 1685, MS.
[3] Ibid.
[4] Penn to Thomas Loyd, February, 1685.

industrious of the population.[1] Penn counted up the number of families ruined for opinion-sake in the reign to more than fifteen thousand. Of those who were arrested and cast into noisome gaols, to rot with the felon and the murderer, not less than four thousand had actually died in prison![2] By whatever motive actuated, James, as Duke of York, had often lifted up his voice against these atrocities;[3] and as soon as he came to the throne, a statement of the wrongs, in mind, body, and estate, endured by his unoffending subjects, was placed in his hands.[4] Penn waited on him at Whitehall to remind him of the goodwill he had formerly professed towards all conscientious persons, and to beg his gracious interference in behalf of the many hundred religious men and women then in custody for no civil offence. The King was extremely affable. He spoke to him for some time in the midst of his nobles, with the old frankness and cordiality of the guardian to his ward; and when he ventured to refer to the penal laws then in operation, and to express a hope that the poor Quakers languishing in Marshalsea, Newgate, the Gatehouse, and other prisons, would find some relief from their sufferings, James took him into his private closet, where they remained in conversation some time.[5] Penn has preserved the substance of what passed. His Majesty said he should deal openly with his subjects. He was himself a Catholic, and he desired no peaceable person to be disturbed on account of his opinions; but he would defer making any distinct promise until the day fixed for his coronation, and even then he said he could only exercise his prerogative to pardon such as were already suffering unjustly; with the new parliament would rest the power legally to establish liberty of conscience.[6] In a short time James went beyond these promises. He charged the judges to discourage persecutions on the score of religious differences;

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[1] The Book of Secret Service Money—about to be published by the Camdem Society—contains some items which serve admirably to illustrate the reigns of the Stuarts. I extract two payments for the sake of the contrast: —"March 28th, Paid to Duchess of Portsmouth (in various sums), 13,341*l.* 10*s.* 4½*d.*"—"June 14th, Paid to Richard Yates, son of Francis Yates, who conducted Prince Charles from the field of Worcester to Whyte Ladies, after the battle, and suffered death under the usurper Cromwell, bounty, 10*l.* 10*s.* 0*d.*"

[2] Collected Works, ii. 772.

[3] Apology, Penn. Hist. Soc. Mem. iii. Part ii.

[4] Harl. MSS. 7506.

[5] Penn to Crisp, February 28, MS.

[6] Penn to Thomas Loyd, Feb., 1685.

he opened the prison gates to every person who was confined for refusing to take oaths of allegiance and supremacy. Twelve hundred Quakers obtained their freedom by this act of justice.[1] Opinions varied at that time—and vary still—as to the King's motives in issuing these orders. Honest and simple men saw in them only the act of a prince who had himself tasted the bitterness of persecution, and was anxious that it should cease in his dominions. Penn at least firmly believed that the liberty of worship granted to all sects by James was neither a delusion nor a snare.[2]

As friend, patron, and guardian, the new King of England seemed well disposed to the Governor of Pennsylvania. A party arose at this time which advocated the recall of the colonial charters, and the annexation of all the American provinces to the crown; and every fault of government, every petty grievance of the governed, was caught at and magnified to make out a plausible case for proceeding to so extreme a measure. An outrage committed by Lord Baltimore's agents in Maryland, while it tended to strengthen Penn's cause as against his more immediate adversary, very sensibly damaged the general interests of the proprietors in America.[3] Like many of the disagreements which arose in that age between the colonies and the crown, this was a revenue case. The King's officers behaving in an extremely arbitrary and dictatorial manner, the colonists, with that instinctive dislike to the tax collector which belongs to the character of an Englishman, hated the official, evaded his vigilance, and encouraged the contraband traders, who appealed from the laws of the land to the laws of nature. Virginia, Maryland, Pennsylvania, New York, and other provinces, were accused, and not unjustly, of favoring smugglers to the manifest injury of the royal revenue.[4] On the whole, the proprietors had the precaution to maintain at least an appearance of hostility to these illegal proceedings; but the servants of Lord Baltimore acted with less caution; and had their master not been a Catholic peer, and the moment one in which the Catholic sovereign needed the support of every man of his own faith, the charter would probably have been recalled in consequence.

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[1] Sewell, ii. 322. [2] See his Letter to Quakers in Phil. Friend, vi. 257.
[3] Penn to Crisp, February 28, MS.
[4] Plant. Gen. Papers, B. T. 32, &c., State Paper Office. The correspondence and orders in council on this subject would fill several volumes.

The president of his council, having a quarrel with the King's collector-general, went on board the man-of-war in which he was passing down one of the rivers of Maryland, and under the feint of a reconciliation gained an opportunity to murder him. An alarm was instantly given, and the captain of the vessel seizing the wretched criminal, almost in the act, loaded him with irons, and prepared to carry him to England for trial. On hearing of these events the Maryland council assembled, and deputed two of their body to go on board and demand the person of their president. The captain asked them in whose name they required him to be delivered over; they replied, in that of the Lord Baltimore. But he refused to surrender the murderer to any but the King's justices; and as they persisted in saying that their proprietor was their king, he sent them on shore and sailed away.[1]

How far, in the existing state of parties, this incident affected the interests of the owner of Maryland it is not easy to determine. It is certain that James, who gave his earliest attention to an arrangement of the dispute, was strongly inclined to support the pretensions of his rival. He directed the Board of Trade to collect all the papers and facts having reference to the controversy, especially the authorized and sworn versions of what had taken place between Markham and Baltimore and Penn and Baltimore in their private conferences;[2] and this being done, Penn went through the form of praying that his majesty would command the Board of Trade to decide the question without further delay.[3] It is not necessary to enter into the details of this settlement. Ignorance of the geography of America had led the original granters of the charters to include the peninsula—or at least a considerable portion of it—in both patents. But as Baltimore's right had priority of date, and had never been cancelled, his supporters argued, with fair show of reason, that the latter grant was invalid, the King not being able to give away lands which were not his own in any subsequent grant.[4] On the other hand, the Maryland charter expressly stating that only the lands which were *hactenus inculta* were assigned to Lord Baltimore, it was urged with equal cogency that the tract on the Delaware, then settled and cultivated by the

[1] Penn to Crisp, February 28, MS.
[2] Maryland Papers, March 17, State Paper Office.
[3] Ibid. Aug. 18.
[4] Dunlop in Penn. Hist. Soc. Mem. i. 161 et seq.

Dutch and Swedes, could not have been included in the patent. While the Duke of York remained master of these territories, the Maryland proprietor had been silent about his claims, and it was only when he found the new governor about to plant a democracy in his immediate neighborhood, that he became anxious about the unproductive strip of ground lying between the Chesapeake and the Delaware. When Penn had presented his formal petition, a council was called to take the subject into final consideration. The King himself was present at the board; Prince George of Denmark was on his right; the Archbishop of Canterbury and all the ministers of the crown sat round the table. The claims were gone into with great minuteness;[1] and James settled the question—at least for a time—by dividing the territory in dispute into two equal parts, the eastern half of which he transferred to Lord Baltimore, as his by right, and the western half he restored to the crown, so as to place it beyond the reach of future litigation.[2] There can be no doubt but that the King's intentions were friendly and honorable towards his ward; but for some reason or other the reconveyance of the lapsed provinces on the Delaware was delayed. Practically Penn retained the country, but his legal titles were not made out in form,—a source of considerable embarrassment to him in the sequel, as he was never able to prevail on Sunderland to allow the affair to be settled.[3]

From this date until the retirement of King James, Penn was at court almost daily. That the King, to whom he was bound by every tie of gratitude, was inclined in his heart to pursue a wise, tolerant and legal course with regard to religion and religious liberty he was convinced; that he had himself some influence over the royal mind he soon became aware from the great favor shown to him in public and the many audiences permitted him in private. But the laws against opinion passed in the previous reign, under which he had himself suffered several terms of imprisonment, still existed; hundreds of poor Quakers were still confined for tithes or gaoler's fees which their consciences would not suffer them to pay;[4] and the Church party, instead of showing a

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[1] Hazard's Register, ii. 225.
[2] Order in Council, Nov. 13. Maryland Papers. State Paper Office.
[3] Proprietary Papers, June 18, 1703. State Paper Office.
[4] Life of Gilbert Latye, 57.

friendly or tolerant disposition towards Dissenters, proposed that the House of Commons should petition the King to put all the penal laws against them into severe and immediate execution.[1] At such a time he felt that Providence had placed him near the throne for a great end; that upon him had fallen, in that violent time, a work of daily mercy and mediation. He accepted his position with a full sense of its perils and responsibilities; but he trusted to the sanctity of his assumed office, "the general mediator for charity," for a liberal construction of his conduct by every honest mind.[2] To him and to his people the ordinary laws of the country afforded no protection; a fine or a fee was a sentence of perpetual imprisonment to a man who in his conscience could not pay fines or fees. A humane judge might order a poor wretch to be set at liberty, but then the gaoler stepped forward with his list of charges, and unless the judge were willing to pay them out of his own purse, the poor wretch was sent back again to prison.[3] Conscience was at war with this intolerant law, and the only hope of obtaining justice, not to speak of mercy, for the sufferers, lay in the unremitted exercise of the royal right to pardon and relieve. To secure the constant exercise of this power, and to urge the King to establish, not by proclamations or orders in council, but by a general act of Parliament, a perfect freedom of opinion in every part of his dominions—these were the objects which kept Penn away from the city of his affections and carried him every morning to the antechambers at Whitehall.[4]

He removed his residence to Holland House at Kensington, and brought Guli and his family to town.[5] The house was large, and he had many visitors. His influence with the King was well known, and every man with a real grievance found in him a counsellor and a friend. Envoys were sent from the American colonies to solicit his influence in their behalf; members of his own and other religious bodies who had petitions to present crowded to his levees; and sometimes not less than two hundred persons were in attendance at his hour of rising.[6]

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[1] Com. Jour., May 26, 27.
[2] Letter to Quakers in Phil. Friend, vi. 257.
[3] Fox's Journal, 217, 258.
[4] Letter to Quakers, Phil. Friend, vi. 257.
[5] Lawton MS. Memoirs of Penn, Penn. Hist. Soc. Mem. iii. Part ii. 216.
[6] Gerard Croese, Hist. Quakers. Lambeth MSS., Bancroft, ii. 395.

One of the earliest favors which Penn is known to have begged from the King will be remembered to his honor as long as a taste for letters or a love of science endures. In the preceding reign, when the Earl of Shaftesbury fled away to the continent, John Locke, as one of his intimate friends, fell under Court suspicions; but so serene and blameless was the life he led at Oxford, that it was feared that to arrest and try him would only end in an acquittal and a triumph for the enemies of the royal family. King Charles therefore employed his creatures at Christ Church to entrap him into some unwary expression—some word of sympathy for the alleged conspirators—any, even the least, remark which malice might construe into an offence.[1] But he was on his guard, and gave them no assistance in their design. At length, treachery failing, force was used. On the 11th of November, the Earl of Sunderland conveyed to the authorities of the college his majesty's commands, to strip the unmoved philosopher of his honors and dignities, and expel him from the University.[2] These authorities showed no want of alacrity in putting their own recently promulgated doctrine of absolute obedience into practice;[3] and a week later the secretary thanked the college, in his majesty's name, for their ready compliance with his orders.[4] Locke, then on the continent, was ignominiously cast out of the University of which he was the chiefest ornament, and went to reside at the Hague, where he busied himself in finishing his great work on the Human Understanding, and in furnishing the friends of liberty with new arguments in favor of toleration.[5] Touched with a situation in some respects so like his own in earlier life, Penn put his influence to the test by asking a pardon and permission for his old acquaintance to return to England. That James had been a consenting party to his banishment, there can be no doubt; possibly he had been an active enemy; it was therefore regarded as a signal instance of his favor that he promised all the intercessor asked for, without

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[1] Bishop of Oxford to Sunderland, Nov. 8. State Paper Office.

[2] Sunderland Letter-Book, November 11. State Paper Office.

[3] State Tracts, ii. 153, and Somers Tracts, viii. 420-424. Passive obedience was declared to be a "most necessary doctrine of the Church" on the 21st of July; the very day on which Lord William Russell died for the right of resisting tyranny.

[4] Sunderland Letter-Book, November 20. State Paper Office.

[5] Furly Corresp. 1-75. King's Life of Locke, *passim*.

a scruple, and without conditions. Penn at once wrote off with these glad tidings to the Hague; but the exile, conscious of having committed no crime, while expressing his deep sense of obligation to the mediator, absolutely refused to accept the proffered pardon.[1] And in this view of his duty to himself he continued steadfast; when the Earl of Pembroke, an intimate friend of many years standing, offered his services to obtain a similar concession from the King, he returned the same answer.[2] That he thankfully remembered the unsolicited kindness of his "friend Penn,"[3] will be seen in the good offices he is able to render in return after the Revolution changed in a measure their relative positions. His friend Popple, afterwards secretary to the Lords Commissioners of Trade and Plantations, was less scrupulous in using the Governor's influence at court. Popple was involved in some troublesome affairs in France, and applied to the general mediator to aid him in recovering his position: he, being convinced of his honor and innocence, went to the Ambassador, Barillon, and procured such a representation of the affair at the Court of Versailles as soon put an end to his troubles. The future secretary retained a warm sense of gratitude to his benefactor, and events afterwards placed it in his power, as a government official, in some measure to return these favors.[4] Nor did Locke himself scruple to ask that for others which his philosophic pride rejected for himself. Ever ready to exercise his interest in behalf of the unfortunate, he found his friend in London equally willing to be made the instrument of his charitable interference.[6] Popple and Locke were political as well as personal friends. The accidents of the time had driven the Whigs from Court; some into the retirement of the country, others into positive exile. Penn sympathized deeply with their political ideas; and their misfortunes gave them a claim on his regard, which he never trifled with so long as his day of influence lasted. Some of the men whom he saved in their hour of need, repaid him in after times with the foulest ingratitude, but there were noble exceptions.[6]

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[1] Lord King's Life of Locke, i. 291, 292.

[2] Ibid.

[3] Furly Corresp. 36.

[4] Lawton's Mem. Popple to Penn, October 20, 1688. Plant. Gen. Papers. iv. State Paper Office.

[5] Furly Corresp. 36.

[6] Lawton's Mem. (Penn. Hist. Soc. Mem. iii. Part ii. 227.)

The first six months of James the Second's reign brought back the troubles of the old civil wars. Though he mounted the throne of his ancestors with as little opposition as any monarch had ever done in England, the elements of confusion existed around him in no ordinary force and variety. The old cavaliers, who had fought for his family in many a well-contested field, were either lukewarm or indifferent in his cause on account of his religion. A remnant of the Republican party, not great in point of numbers, but still formidable from its energy and character, remained in Holland, watching events, and only too willing to revive the good old times of Naseby and Marston Moor. Nor were powerful leaders wanting to these men, and both Monmouth and Argyle were known to be secretly or openly preparing to invade the kingdom and renew in arms the contest which was thought to have been ended with the execution of Algernon Sidney.[1] The severities which the King felt bound to inflict on those who had wronged the Duke of York, also added to the suspicions and discontents which were abroad. When the informer, Titus Oates, was placed in the pillory the first time after his trial, the people were excited to a serious breach of the peace;[2] and the zeal of fanatic churchmen was inflamed into frenzy on beholding the King go to mass in public with the Queen and the royal household. Sermons and speeches against popery were delivered in all churches, chapels, coffee-houses, and places of general resort: even in the royal chapel at Whitehall the rites and ceremonies practised by the sovereign were denounced as contrary to the word of God and to the laws of England.[3] But in the midst of these sources of alarm, James held on his resolute course.[4] He clung to his own notions of religion with a tenacity worthy of an Englishman; and refused to purchase the support of his ancient friends, the cavaliers, by any sacrifice of his bigotry to their intolerance, even when Argyle had landed in Scotland, and the signal of revolt was daily expected in the west of England.

A committee of the House of Commons, under the influence of the Church party, proposed to petition the King for the instant execution of all the penal statutes against Dissent.

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[1] Penn to Crisp, February 28. MSS. Memoirs of James, ii. 3 et seq.

[2] Sunderland Letter-Book, May 19, 20. State Faper Office. Barillon to Louis, May 21.

[3] Penn to Crisp, February 28. MS. [4] Barillon to Louis, May 14.

Though some of the King's personal friends were present when this proposal was made, they offered no opposition, and it was unanimously resolved to bring forward a motion in the house to that effect on the following day. James, informed of what had taken place, and of what was intended for the morrow, sent for his friends and laid before them so clearly and emphatically his fixed determination to resist the petition, and to err, if at all, on the side of mercy, that they went away convinced of his sincerity, and took their measures with such success that the result was more satisfactory to the supporters of toleration than they had dared to hope:—the motion was condemned as an insult to the sovereign, and rejected without a division.[1] Penn began to feel some hope that Parliament would soon find itself in a temper to discuss a general act for the enfranchisement of conscience; and the King of France urged James to press ths measure at once.[2]

Literature also came to the aid of freedom,—and from an unexpected quarter. Penn's acquaintance with the brilliant Duke of Buckingham has been referred to more than once; and, as the public professed to believe, it was at his instigation, or through his influence, that his grace now brought out his Essay on Religion.[3] In this work he argues for universal charity towards opinion. He says he had long been convinced that nothing can be more anti-christian, nor more contrary to sense and reason, than to trouble and molest our fellow Christians because they cannot be exactly of our minds in all that relates to the worship of God.[4] The effusion breathes this spirit throughout; and it was not a little to the author's credit that during a life of more than ordinary fickleness of purpose and change of fortune he had never wavered from this opinion. He concludes his discourse with the paraphrase of a thought often expressed by Penn, to the effect that if Parliament refused to adopt a more liberal policy towards opinion, the result would be "a general discontent, the dispeopling of our poor country, and the exposing us to the conquest of a foreign nation."[5] A pamphlet on such a sub-

[1] Com. Jour. May 26, 27. Barillon to Louis, June 7.

[2] Louis to Barillon, June 15.

[3] "A short Discourse on the Reasonableness of having a Religion or Worship of God." The authenticity of this work has been doubted (Pen. Cyc. Art. *Buck.*), but without reason. The title-page bears his name, and he never denied its authorship. Barillon to Louis, May 21.

[4] Short Discourse, &c., Preface.

[5] Ibid. 8.

ject by the author of the "Rehearsal" naturally excited much attention, and numerous answers to it appeared.[1] The wit of the court was answered by wits of the coffee-houses. One of these is very smart in its personal raillery.[2] The writer pleasantly alludes to the great rake taking up with Whiggism in her old age, when she is a poor cast-off mistress, that even the porters and footmen turn away from with scorn; and wonders how his grace can think of making himself the champion of anything so out of all countenance as religion and toleration. The graver argument adduced by these writers against any concession to the sectaries, was the alleged peril of the nation. Liberty, they said, was fraught with danger. There had been liberties in the time of Charles the First—and Charles the First lost his head: there was toleration under the Commonwealth, — and the Commonwealth fell. No weapon in the armory of logic like a syllogism!

This sort of reasoning of course provoked numerous rejoinders. Penn entered the arena and wrote in defence of the Duke's proposal.[3] The advocates of toleration had the last word; and ultimately the wit as well as the argument was on their side. One of their retorts begins thus:—"I remember a time when the Lord Chancellor Hyde was at his height at court, a poor woman who got her living by a piece of ground which her husband used to dig, carrying her garden-stuff to market, and not selling it, comes home exclaiming that she could not sell her beans and cabbages, and never should have a good market any more so long as that filthy Hyde was Chancellor. There are some in the nation that have been, and that are, for liberty of conscience; some that have been, and that are, of the wisest of the nation—such as my Lord Bacon and my Lord Chief Justice Hales—who have shown their minds still against the stiffness of these Churchmen, who never would be got, when time was, to condescend in lesser things for the sake of greater:—and here comes this gentleman now and argues that all the plots, all the rebellions, and all the evils that have befallen the kingdom, must be imputed to such men and to such principles. This argument is the reasoning of the market-woman—*Socrate ambulante fulguravit:* Socrates going

[1] Several of these replies are collected into a volume, B. M.
[2] A Short Answer to the Duke of Buckingham's Paper.
[3] Collected Works, ii. 708.

abroad, it lightened. This lightning did a great deal of damage:—therefore Socrates must be sent to Newgate! Therefore liberty of conscience must be put down! I deny the argument."[1]

When Penn came forward to defend in print the Duke's proposition, he thought it requisite to state exactly the part which he felt it became him to take in the controversy. One of the disputants had charged the versatile nobleman with having been deluded by Penn into these new notions; and thus dragged into the arena, friendship to the writer, as well as duty to maintain the right, urged him to add his testimony to the principle of enlightened policy advocated by the pamphleteer. A vein of quiet satire runs through his discourse. He expresses his great pleasure in seeing a work in defence of religion from such a pen, and sincerely hopes that the witty and clever Duke may soon begin to enjoy those felicities of a good life which he has proved himself so well able to describe. When that day arrives, he says in conclusion, he will be happy to press the gentlemen of England to imitate so illustrious an example.[2] At first, the King affected to take no notice of this literary combat; but when he found the Church party in evident alarm, and heard from those about him that nothing else was talked of in the coffee-houses, he began to take some interest in it. The astute agent of the French monarch saw its importance from the first; and as soon as Buckingham's pamphlet appeared, he had caused it to be translated, and sent over to his master as a key to the new and serious question which was about to be agitated in England.[3]

Meanwhile the expeditions under Monmouth and Argyle had both failed. These events and the melancholy trials and executions to which they led belong to the domain of general history.[4] Penn's connection with them was but slight and incidental; but so far as is known his influence was exerted entirely in behalf of mercy and of a merciful construction of the law.[5] Nor, in our virtuous indignation, should injustice be done even to the most hateful of characters. Jeffreys has been called a judge after James's own heart; in common fair-

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[1] Defence of the Duke of Buckingham's Paper, p. 3.

[2] Penn's Collected Works, ii. 709. [3] Barillon to Louis, May 21.

[4] Lingard, xiv. 1-78, contains the most calm and careful narrative of these events.

[5] See Extra Chapter, The Macaulay Charges, at the end of this volume.

ness it should be remembered that Jeffreys was not a man of James's seeking. He was already on the bench when the Catholic prince came to the throne:—he had been raised to the judgment-seat, almost against the wishes of King Charles, by Lord Sunderland, to try his noble uncle Algernon Sidney.[1] Considering the King's power, the crimes of which the prisoners had been guilty, and the general disregard of legal forms at that time prevailing, the calm reader of history is surprised at the perfect order and regular course of law under which the rebels received their sentences. The heat of battle over, James forgot that he was a Stuart, and invoked the ordinary laws of his country. When his generals desired to know what they must do with their prisoners, he wrote to say they must be reserved for regular trial. In no case would he allow the soldier to play the judge. Colonel Kirk sold a few pardons on his own account, and ordered his troops free quarters in the rebel towns; but James gave him a sharp reprimand, and threatened punishment if these offences were continued.[2] No man, by his warrant, suffered arbitrarily. If many were executed, and many more were transported to the American colonies, it was because they had been convicted, justly or unjustly, of the highest crime known in the statute-book of England. The royal nature was not humane,—but that so much blood was shed was in a great measure due to the cruel temper of Jeffreys. The King was urged by his creatures to profit by the blunder which his enemies had made, and allow the law to remove from his path men who might otherwise be troublesome,[3]—and he was weak and wicked enough to follow their counsel. In these evil moments it was well that he had one honest man occasionally near his person, from whose mouth came words of gentleness and mercy. Between Penn and Jeffreys nature and events had interposed an antipathy which no royal offices could mitigate, much less remove. The Chief Justice was weak, cruel, profligate, avaricious, and he had been the legal doomsman of Algernon Sidney. He was a man thoroughly detestable; and Penn opposed him to the utmost of his power, and in the day of his bloody triumph loudly accused him of being the cause of a great and needless waste of human life.[4]

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[1] Clarendon Corresp. i. 82.

[2] Sunderland Letter-Book, 268 et seq. State Paper Office. [3] Burnet, iii. 66.

[4] Ibid. How far James approved of his servant's conduct is disputed. Lingard has collected the conflicting authorities, xiv. 77, 78.

Beyond this loud and vehement protest, Penn had no power to go. He was himself an object of suspicion to the court and ministry. Not half a dozen years before the invasion of Monmouth, he had been intimately associated with the men who were now in prison: even by the reports of Barillon he was then considered as dividing with Algernon Sidney the leadership of all the turbulent reformers in England and the Low Countries.[1] Though it is not to be imagined that he gave the invaders any reason to believe he approved of their projects—it is clear enough that they regarded him as a friend to their cause, for in their plan of the campaign they had set him down as one of the half dozen persons who might be relied on to bring over the American colonies to accept the Protestant revolution.[2] The ministry were conscious that his political sympathies were not with them, and they professed to regard him as a partisan of the Prince of Orange.[3] Indeed his position was extremely peculiar. Against these suspicions and misgivings he had no protection beyond the private favor of the King: a favor which had its origin in the Duke of York's affection for the old admiral, and in that constancy to his plighted word which made the better side of his obstinate character, rather than in any community of sentiment or personal attachment. So far as was possible with a man who disapproved of the King's policy, and publicly and privately opposed the King's ministers—Penn strove to mitigate the sufferings of the deluded men who had been drawn into rebellion. Events had given him the proprietorship of a land which he had opened as a general asylum for the oppressed; and now when the prisoners were sentenced to transportation beyond sea for ten years, he applied to have a few of them sent to Pennsylvania, where the climate would agree with them, and their offences would not be regarded as very heinous.[4] But this humane design was not agreeable to the King's advisers. With a perversity of folly which nothing can justify, the rebels had set a price on the King's head, and had denounced the Parliament as a treasonable assembly, to be pursued with war and destruction.[5] This madness begot its like in the Court and Parliament. Now that the rebels had fallen into their power, they shut their

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[1] Barillon to Louis. Dalrymple, i. 282.
[2] Wade's statement. Harl. MSS. 6845, p. 288.
[3] Penn to Shrewsbury, March 7, 1689.
[4] Penn to Thomas Loyd, October 2, 1685. MS. [5] Harl. MSS. 7006.

ears to the pleadings of humanity. They wished, if it were possible, to make the punishment of the transports more terrible than the bitterness of death. They gave them up therefore to the high Tory and Catholic owners of the tropical and unhealthy islands of the West Indies. Sir Philip Howard received two hundred; Sir Richard White two hundred; two other knights received a hundred each; the Queen begged another hundred for some friend or favorite of her own whose name is not preserved.[1] None of them were allowed to go to Pennsylvania, or to any other settlement where they were likely to be treated with humanity.[2]

When the trials in the country were over and those in London began, Penn was still more anxiously and incessantly employed in the work of mediation. One of the first victims of royal rigor was an old acquaintance of his own. Five years before this time, when the court was moving heaven and earth to defeat the candidates of the Sidney party in all elections, two liberals, Henry Cornish and Slingsby Bethel, had the courage to stand for the office of sheriffs for the city of London; and in spite of bribery and threats, to the infinite chagrin of the royal brothers, they succeeded in carrying the election.[3] Their success made quite a sensation in the political world; even moderate men like William Lord Russel were taken by surprise. The mob gave vent to their triumph by party cries; and James took this defeat to heart as if it had been a personal insult.[4] From that day Cornish was a marked man; and when the Rye-House plot exploded, he was believed to be involved in it past recovery. The evidence, however, was not complete, and he had now been two years at large after the execution of Sidney, and was congratulating himself on his escape from peril, when the court suddenly obtained the evidence required to make out their case. He was arrested, tried, found guilty, and gibbeted in front of his own house in Cheapside.[5] That Cornish was accused and sentenced as the accomplice of Sidney and Russell was not without its weight with Penn;[6] but the mediator took a higher view, he declared his belief that the condemned was innocent of the crimes imputed to him, and begged the King to pause ere the fatal war-

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[1] Sunderland to Jeffreys, September 14. State Paper Office.
[2] See Extra Chapter. [3] Dorothy Sunderland to Lord Halifax, July 19.
[4] Ibid. Burnet, ii. 248. [5] State Trials, vol. xi.
[6] Penn to Harrison, Oct. 25, 1685. MS.

rants of execution were given out. But his arguments failed to touch the cold heart of his sovereign.[1] Another case pending at the same moment, interested his feelings not less strongly. Elizabeth Gaunt, a lady of religious temperament and of the most spotless life, whose time and fortune had been spent in visiting prisons and relieving the wretched—had in a moment of compassion given the shelter of her house to one of the fugitive rebels; but as the government declared its determination to punish those who harbored traitors with as much severity as the traitors themselves, the vile scoundrel informed against his humane protectress, and she was therefore arrested, found guilty, and condemned to be burnt alive at Tyburn. For her Penn also interceded—but in vain.[2]

Both these victims suffered on the same day. Penn stood near Cornish to the last,—and vindicated his memory after death.[3] The creatures of the court, annoyed at the indignant bearing of the city merchant on the scaffold, gave out that he was drunk. Penn repelled the accusation with scorn: he said he could see nothing in his conduct but the natural indignation of an Englishman about to be murdered by form of law.[4] From this melancholy scene he went to Tyburn. The poor lady met her fate with calmness and resignation. She had obeyed the merciful promptings of her heart in sheltering a fellow-creature from the blood-hounds of the law; and when grave judges pronounced this a crime worthy of fire and fagot, she submitted to the King's pleasure in silence. As she arranged the straw about her feet, that the flame might do its work more quickly, the whole concourse of spectators burst into tears. To the last she asserted her innocence, her loyalty, her respect for the laws. But she did not repent of what she had done. The cause in which she suffered was, she said, the cause of humanity—the cause of God.[5] As the fagots were kindling, a storm arose such as had not been witnessed since the eventful night of Cromwell's death;—and in the midst of this war of the elements, and the still more fearful strife of human passions, expired the unfortunate woman, who

[1] "There is daily inquisition for those concerned in the late plots. Some die denying—as Alderman Cornish—others confessing, but justifying, some repenting. Cornish died last sixth day (Saturday) in Cheapside for being at the meeting that Lord Russel died for, but denied it most vehemently to the last." Ibid.; also Burnet, iii. 66, 67.

[2] State Trials, vol. xi.

[3] Penn to Harrison, Oct. 25, MS.

[4] Burnet, iii. 66.

[5] Penn to Harrison, Oct. 25, MS.

in happier times might have left behind her the reputation of an Elizabeth Fry.[1]

Penn was able, when he afterwards pleaded with his sovereign for mercy, to quote these instances of persons who had gone down to the grave protesting their innocence; it was for this purpose that he attended the executions, even by the report of his enemy, Dr. Burnet. His representations had their effect in softening what James thought the inflexible justice of his own nature. Some slight reparation was made to Cornish; his mutilated and scattered limbs were gathered and restored to his relatives; and the infamous scoundrel who had sworn away his life was condemned to perpetual imprisonment.[2] But the mediator bought these charities at a considerable risk. The minister disliked his humane interference with public business; and to punish his presumption they contrived not only to postpone the form of his legal investiture with the Delaware province, though, as he enjoyed it in fact, there could be no reason for withholding it, but under pretence of a general measure of reform for the colonies, gave orders to the crown lawyers to issue a *quo warranto* against his province of Pennsylvania, and proceed with such vigor as to compel him to vacate his charter.[3] This mischief, however, was soon arrested. James was then staying at Windsor Castle; but in less than a week, by his special command, Lord Sunderland wrote to the Attorney-General to suspend the proceeding until further orders.[4] Those orders were never issued. The King evidently listened to his counsels with interest, even where his own temper forbade him to follow them,—for his manner was soft and winning, and he had not only clearer ideas but far more wit and scholarship than the majority of those who thronged the galleries of Whitehall.[5] His opportunities were nobly employed. If any fault can be found with his conduct, it is that his charity was a little too universal—a little too indiscriminate. The case of Aaron Smith,—a man to whom he had never spoken in his life,—is an instance in point. A Whig of some standing applied to Penn, rather, as he himself confesses, with a view to ascertain his ideas of political mercy than with any hope of obtaining what he asked,

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[1] Burnet, iii. 62. [2] Luttrel's Diary, April 19, 1686.
[3] Privy Council Register J., i. 228. Privy Council Office.
[4] Sunderland Letter-Book, June 6, 1686. State Paper Office.
[5] Gerard Croese, Hist. Quakers. Burnet, iii. 140.

to solicit from the King a pardon. Smith's only claim was that he was unknown to his mediator and in misfortune. Had Penn known him better he might possibly have paused; but he heard only of his calamities, and promised to intercede. A few days afterwards, when alone with James, he made this request. The King started at the name,—flew into a violent passion,—replied in his angriest tone that he would do no such thing,—that six fellows like Smith would put the three Kingdoms in a flame,—and threatened in his wrath to turn the imprudent petitioner out of the royal closet.[1] Still he did not desist. He got with some trouble—for Smith was as obstinate as he was quarrelsome—a civil letter from the delinquent; and taking an opportunity, when James was in a good humor, and the scene in the closet had faded from his recollection, he again pressed the suit of mercy and obtained a pardon.[2] On the other hand, it is not to be supposed that the old gratitude of the ward to his guardian was the only sentiment that attached the governor of Pennsylvania to his sovereign. They had, apparently at least, one great political object in common: —they both sought to establish Liberty of Conscience for all Englishmen! Penn believed the King sincere when he declared himself opposed to every kind of religious tests and to every species of penal laws;[3] and, though it became the fashion after the Revolution to consider this apparent liberality in matters of conscience to be a mere jesuitical feint to engage the unwary to support his policy in favor of the Catholics, abundant evidence remains to show that this was not the case. That his protection was often extended to other nonconformists, as well as to his own body, is beyond question. The council books teem with examples: but one or two will suffice. One Francis Godfrey, master of a workhouse in Cambridge, being expelled his office on account of his dissent, James wrote to inquire if he were guilty of any other offence, and commanded, if he were not, that he should be reinstated.[4] He pardoned Friends almost as fast as they got into trouble.[5] He restrained the zeal of his own followers, when their zeal took a shape offensive to the nation: the high-sheriff of Hertfordshire pressed to have permission to celebrate high mass in the

[1] Lawton's Mem. Penn. Hist. Soc. Mem. iii. Part ii. 219-21.
[2] Ibid. 222. [3] Ibid. 223.
[4] Letter-Book, February 4, 1687. State Paper Office.
[5] Penn to Turner, April 4.

townhall of Hertford, but the King objected; and it was not until he had been again strongly urged and had ample reasons given that he reluctantly gave his consent.[1] Even in the disputes about ecclesiastical property, the King seems to have dealt out even-handed justice. At Blackburn a Catholic named Walmsly converted a chapel of which he had possession into a mass-house. The vicar of the parish claimed it as Church property. Walmsly could plead both private right and actual possession. Yet James declared in favor of the churchman.[2] Penn must have known of numerous acts like these, and taken in connection with the often-repeated assurances of the King, they served to satisfy him that time, and a more charitable frame of the public mind were alone wanting to complete the great work of toleration.[3]

There was a curious but a powerful bond of friendship between the Quaker and the Catholic, as such, in that age:—They had suffered proscription, pillories, exile and death together in the common name of religion, and hundreds of them had made acquaintance in the prisons where they were equally immured for conscience' sake. Penn had never been betrayed by injustice into wrong. When suffering imprisonment himself, under laws especially directed against Papists, he had never proposed to escape from this unmerited punishment by joining in the hue and cry after the poor Romanists. On the contrary, while severely condemning their creed he contended for their liberty of thought. All that he asked for himself he gave to them.[4] He still contended for that sacred right, even now that it had become for the moment more unpopular than ever. Yet not without drawing suspicion and trouble upon himself. Hearing him express none of the usual cant about Popery, the ignorant and the bigoted began to suspect that he was a Papist in disguise. How easy the inferences of ignorance! He was often at court and enjoyed favor with the King. The needy courtiers who waited in the antechamber while he was closeted with their master, could think

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[1] Letter-Book, 406-408. State Paper Office.

[2] Ibid. April 7, 1688. State Paper Office.

[3] Penn to the Quakers, Phil. Friend, vi. 57. From the "Book of Secret Service" I will quote a note illustrating James's tolerance—"To Charles Mearne, bookseller, for several *Church* Bibles, Common Prayer-Books, Books of Homilies, and other books delivered to the Bishop of London, to be sent to the Plantations of Virginia and New England... 139*l.* 15*s.* 11*d.*" P. 122.

[4] Speech to the House of Commons, ante, pp. 157–8.

of no other explanation of his influence. A ludicrous incident made the suspicion certainty. Penn was travelling in the country in a stage coach; and as the vehicle went slowly along the passengers beguiled the time by conversation on the usual topics of the day. One man asked him how he and Barclay and Keith came to have so much learning and such a love of letters, seeing that Quakers professed to despise these things? I suppose, said Penn, it comes of my having been educated at Samur. Mistaking the name, the questioner repeated every where that he had been educated at St. Omer's.[1] St. Omer's was the great Jesuit seminary. How easy the conclusion then! He must be, not merely a Papist, but a concealed Jesuit. The mob caught at this story, as they will at any wondrous tale; and in a short time it had received various additions. It was said in every coffee-house in London that he had matriculated in the Jesuits' College,—had taken holy orders in Rome,—and now regularly officiated at the service of mass in the private chapel at Whitehall. All this was said in spite of his lay habits,—his house at Charing Cross,—his wife and children,—his public preaching,—his Caveat against Popery![2] Nor did these simple inventions long content the curious; more mysterious and romantic incidents came out. A tale got current of a monk who had abjured his faith and fled away to America for safety. Attracted by its high repute to Pennsylvania, the poor fellow placed himself unwittingly in the power of his superior, who had him secretly kidnapped by his own familiars and sent to Europe, to be there delivered over to the awful retributions of the Church.[3] Some men of calm and sober judgment were weak enough to lend a willing ear to these reports; the temper of the public

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[1] Gent. Mag. vii. 495.

[2] Popple to Penn, October 20. From one of his private and hitherto unpublished letters to his American agent, I extract a few words on the conduct of the Jesuit Court of France at this time:—"It is a time to be wise. I long to be with you; but the Eternal God do as he pleases. Oh, be you watchful! Fear and sanctify the Lord in your hearts! In France not a meeting of Protestants is left. They force all to conform by not suffering them to sleep. They use drums or fling water on the drowsy, till they submit or run mad. They pray to be killed. But the King has ordered his dragoons, that are his inquisitors and converters, to do any thing but kill and ravish. Such as fly and are caught are executed or sent to the galleys. Thus they use all qualities, from dukes and duchesses to the meanest." MS. Letter to Harrison, October 25.

[3] Popple to Penn, October 20.

was unsettled, and it was suspected on fair ground that the religious orders of Rome had received instructions to get among the Quakers and other advanced sectaries in England.[1] The famous Dr. Tillotson was in this class. He had been an old friend of Penn's: he admired his parts and respected his integrity. When this accusation first arose, he resolved to seek an explanation, that his own mind might be at rest on the subject. Therefore, when Penn called at his house in the usual way, he told him it was reported that he kept up a secret correspondence with Rome, and particularly with some of the Jesuits there, at which his visitor was both surprised and amused. The conversation, however, became general, and nothing more was said on that point,—nor was it renewed for a long time, as the new governor went out to his province, and on his return he had either forgotten the circumstance or was too busy to attend to such matters.[2] When the Doctor heard Penn accused of being a Jesuit, he did not feel assured that he could deny it on certain knowledge; and as they were well known to have been for a long time on intimate terms, the gossips found a support for the rumor even in his silence. It was soon noised abroad that Tillotson had affirmed of his own knowledge that Penn was a Jesuit.[3]

Few men despised clamor and false representation more than he did; but he thought it time to speak out when those who should have known him better were said to countenance such reports. He sat down and wrote a manly complaint to his old friend;—he was grieved, he said, to hear the reports in question, whether it was the public which abused Tillotson or Tillotson who had misunderstood him. He would only say, for he could not join in a cry to ruin those he differed with, that he abhorred two principles in religion, and pitied those who held them—obedience on mere authority without conviction, and persecution of man on pretence of serving God. He thought union was best when the truth was clear; where not, charity. He entirely agreed with Hooker, that a few words spoken with meekness, humility and love are worth whole volumes of controversy—which commonly destroys charity, the best part of religion.[4]

Tillotson replied without reserve. He had, he admitted,

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[1] Thurloe State Papers, vii. 117.
[2] Corresp. with Tillotson. Penn's Works, i. 126, et seq.
[3] Besse, 126.
[4] Penn to Tillotson, January 22, 1686.

been troubled with doubts and had sometimes spoken of them. He was sorry for it. He admired his old friend's wit and zeal; and so soon as he distinctly stated he was *not* a Papist, he would do all in his power to correct the rumors that were about.[1] Penn answered at once that he had no correspondence with the Jesuits or with any other body at Rome—that he wrote no letters to any priest of the Popish faith—that he was not even acquainted with any one belonging to that communion. Yet he added, though not a Romanist, he was a Catholic; he could not deny to others what he claimed for himself—thinking faith, piety and providence a better security than force: and that if truth could not succeed with her own weapons, all others would fail her.[2] On the receipt of this letter Tillotson called on Penn and their old intimacy was renewed. Tillotson did what he could to put an end to the false reports; but they whose purposes it served were unwilling to be set right, and the rumor not only spread more and more, but the doctor's name was still coupled with it as its voucher. Tillotson, thereupon, placed in his friend's hands a written disavowal, to be shown to such as repeated the slander.[3] It was years, however, before he heard the last of this Jesuitism.

Meantime he pursued his own course. Every month growing less hopeful of the future, he would gladly have returned to his colony, had he considered merely his own ease; but the King pressed him to remain in England until an Act of Parliament had legally and firmly established freedom for thought. His heart yearned for the other world. The repose of the Delaware, the rising greatness of Philadelphia, haunted his dreams and mingled with the scenes of his daily life.[4] The

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[1] Tillotson to Penn, Jan. 26. [2] Penn to Tillotson, Jan. 29.

[3] "April 29, 1686.—Sir, I am very sorry that the suspicion I had entertained concerning you, and of which I gave you the true account in my former letter, hath occasioned so much tronble and inconvenience to you: and I do now declare with great joy that I am fully satisfied that there was no just ground of suspicion, and therefore do heartily beg your pardon. And ever since you were pleased to give me that satisfaction, I have taken all occasion to vindicate you in this matter, and shall be ready to do so to the person who sent you the enclosed whenever he will please to come to me. I am very much in the country, but will seek the first opportunity to visit you at Charing Cross and renew our acquaintance, in which I took great pleasure. I rest your faithful friend, Jo. Tillotson."

[4] Penn to Harrison, April 24, MS.—"For my coming over, cheer up the people. I press the matter all I can, but the great undertakings that crowd on me, hinder me yet. But my heart is with you."

favor of the King had powerful drawbacks in the envy and suspicion with which he was regarded; and he longed to escape from the atmosphere of a court into the forests of Pennsylvania.[1] But a stern sense of duty kept him in England.[2] By speech and writing, by his influence with the great, and by his power with Dissenters, he worked day and night to accomplish the great task. The chief obstacle was the mutual ignorance and bigotry of court and parliament,—and he strove to enlighten them on the policy of toleration. The "Persuasive to Moderation" is an able and learned history of opinion and experiment on the subject. He called history to witness—he quoted the wisdom of the wise, and the experiences of time, in support of his argument.[3] The paper was addressed to the King and council; it created a sensation, and contributed to procure that general pardon which set some thousands of prisoners for conscience' sake—including twelve or thirteen hundred Quakers—at liberty.[4] Still this act of grace was due only to the will of the monarch; the penal laws remained in force; the poor sufferers were liable to be seized again for the same offences and again sent to gaol.[5] Rightly or wrongly the leaders of opinion would not believe in the sincerity of James. The bigots murmured at every fresh pardon granted to a sectary; and the maintenance of the Test Act became the avowed policy of all parties in opposition. The hopes of churchmen had already turned to the Hague, and the sagacious Prince of Orange, playing for no less a stake than one of the first crowns in Europe, while professing liberal sentiments, took care to confirm them in their opposition to the King's policy. James already felt the power of his Dutch son-in-law in his kingdom; and seeing no reason to expect a majority of the House of Commons favorable to his views while they were upheld by William, he sent Penn over to the Hague—not in the formal character of an envoy, but so accredited as to satisfy the prince that he spoke by authority—to ascertain his opinions.[6] Burnet was then an exile in Holland, and from his intimate knowledge of

[1] Hazard's Register, iv. 104.
[2] Penn to Harrison, April 24, 1686, MS.
[3] Works ii. 727.
[4] Penn to Harrison, April 24, MS. Besse, 128.
[5] Penn was himself three times arrested at meetings within a few weeks,—but of course got free again as soon as the King learned his situation. Penn to Harrison, April 24, MS.
[6] Burnet, iii. 139.

English affairs was of great service to the prince; but he was a weak-headed man, unused to take large views of things, and though liberal enough to desire an Act of Toleration, was entirely opposed to a repeal of the tests. The Prince of Orange, unfortunately for this country, had formed his idea of an ecclesiastical policy for England from this bigoted churchman; and although he allowed Penn two or three long audiences, he adhered to his own plans. The envoy was instructed to make the most liberal proposals, if William would aid him to pass an Act of Toleration for all creeds and opinions—to obtain a repeal of the hated tests. James promised to consult him in every thing, and to put his friends in the highest places.[1] The prince remained inflexible. He would consent to an Act of Toleration, but he would not consent to a repeal of the tests—the bulwarks of the Church![2] While at the court of Holland, Penn mixed freely with the exiles who thronged the streets—the old comrades of Sidney and Argyle; he studied their views, and made acquaintance with their miseries.[3] With Burnet he had long and frequent discussions; but the Protestant zeal of the doctor was only inflamed by his firm adherence to his old opinions. They met with suspicion, Burnet accusing Penn of a leaning to Popery—Penn accusing Burnet of bigotry and intolerance; and they parted with coldness, and on one side with bitter enmity.[4]

His hopes turned more and more towards Pennsylvania. There he had secured a home for the oppressed. Time, he knew, would make it a great nation. He would help on the good work as fast as he might be able. So, having finished his business at the Hague, he went to Amsterdam, where he engaged the celebrated Wilhelm Sewell—an old friend and correspondent—to translate his account of Pennsylvania into Flemish, and circulate it among the able and industrious farm-

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[1] Ibid. iii. 140.

[2] Van Citters, Nov. 26, Dec. 6, 1836.—"Aengaende het point der Tollerantie wert hier nu opently voorgegeven, dat soo syn Hoogheyt als Mevrouw de Princes haer daer voeren souden verclaert hebben, en dat mein in het aenstaende Parlement dat mede soo debiteren zal, en dat hoogstgedaghte syn hoogheyt met den bekenden Pen die Archiquaecker, wie patron is van Pensilvania in America, daerover in 't lange soude gesproken hebben, en denselve hem dien aengaende diermaten, soude verclaert hebben." This letter is not in the archives of the Hague, but in possession of Van Citters' family. The English State Papers of the period are most of them in private hands!

[3] Buchan's Lives of Fletcher of Saltoun and Thompson.

[4] Burnet, iii. 141.

ers of the Low Countries. He travelled through Holland and into the Rhineland, bearing every where the glad tidings that a land of freemen had sprung up in the New World, where every man enjoyed his full share of political power, and every class of opinions was respected.[1] To the citizens of the Upper Rhine he could report the success of the German colony. At a short distance from Philadelphia their countrymen had built a town, which, in affectionate remembrance of the fatherland, they had called Germanopolis. It was situate in a beautiful and fertile district; on the spot were a number of fresh springs; in the vicinity were oak, walnut, and chestnut trees in abundance; and the surrounding country was not only in places favorable to the culture of the vine, but every where afforded excellent and plentiful pasturage for cattle.[2]

On his return to London he appealed to the King and council in behalf of the exiles. There were two classes of English in Holland. The most numerous was that of political offenders. At first Penn tried to obtain a general pardon; but of this James would not hear. To individual cases he was open, and several pardons were obtained from him in his more gracious moods.[3] But there were many who had merely fled away from religious persecution; and he reminded James that it would be in strict accordance with the gracious intentions he had formed, to offer these men an indemnity and recall. Thus pressed, the King issued an order to that effect, and a great number of persons, who had not been engaged in treasonable acts against the government, returned to their homes and families. The indemnity was traced entirely to the influence of Penn; and the posterity of some of the men whom it restored to their country cherished for many years a grateful remembrance of his services.[3]

The failure of Penn's mission to the Prince of Orange hurried matters to a crisis in England. James was resolved to effect his purpose; and, as a Catholic, he not unnaturally, though most unwisely, began to lean more and more towards his great Catholic neighbor. Penn saw the danger of such an alliance more clearly than the King, and he counselled him earnestly against even raising the suspicion of a desire to rely

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[1] Penn to Harrison, September 23, 1686, MS.
[2] Pastorius (in Penn. Hist. Soc. Mem. iv. Part ii. 92.)
[3] Lawton's Mem. Penn. Hist. Soc. Mem. iii. Part ii.
[4] Buchan's Lives of Fletcher of Saltoun and Thompson.

on France.[1] But James was infatuated. It is not improbable that, irritated by the perverse conduct of the churchmen, he secretly changed his own views; and instead of simply asking toleration for the faith which he believed to be right, resolved to aim at a complete subversion of the Established Church. There is unquestionably a change of tone in the correspondence with Versailles. From the probabilities of gaining a Bill of Toleration, the discussion assumes the King's aim to be the reintroduction of Popery as the state religion.[2] His son-in-law ranged with his enemies, and Parliament determined to thwart his plans, James tried his right to suspend the whole body of the penal laws which oppressed his subjects. The question was regularly brought to issue in the courts of law; and, with the exception of Street, the judges were unanimously of opinion that, according to the laws and usages of England, the King had power to suspend the obnoxious enactments.[3] James was not long in making full use of this dangerous prerogative. On the 18th of March (1687) he called the privy council together:—he told them he intended to use his royal right. Experience had shown the uselessness of penal laws. They did not prevent new sects from springing up. They were a perpetual cause of soreness and discontent. It was time to put an end to these civil troubles. Conscience was a thing not to be forced; and he was resolved to give to all his people alike the right of opinion, which he claimed for himself. A few days later the royal proclamation appeared. It announced that the King had suspended all the laws against religious offences; it forbade the application of any test, or the offer of any oath, to persons about to take office under the state.[4]

This announcement was received with different feelings. The oppressed sectaries were loud in the expression of their gratitude. The King's act not only opened to them their prison-doors, but restored them from civil death to civil life. Some of them entered the army, the navy, the civil service. From being persecuted wretches, they suddenly acquired the rights and dignities of Englishmen. Some of the more

[1] Van Citters' Letter, July 19-29, 1687, MS.—"He has advised the King, so long as his affairs at home are so changeable, *above all to be cautious in his connection with France.*"

[2] Compare Louis to Barillon, June 15, 1685, with July 13, and the subsequent correspondence.

[3] State Trials, ix. 1165-1199.

[4] Gazette, 2231.

wealthy and intelligent were made magistrates, sheriffs, and lieutenants of counties. Even the Quakers began to take some share in public business; and at the next yearly meeting of the body the question was discussed whether they should accept or refuse magistracies.[1] All parties in the great body of dissent were elated at the changes which had taken place. The Anabaptists were the first to approach the throne with the expression of their thanks; the Quakers soon followed; then came the Independents, the Presbyterians, and the Catholics.[2] The Quakers were headed by Penn: and in the excess of their satisfaction they even agreed to waive the uncourtly ceremony of the hat. In Sunderland's apartment the deputation uncovered themselves, and leaving their hats behind, went into the presence bare-headed.[3] Penn made a short speech to the King, and then delivered the address from the general body.[4] James assured the deputation that he had always been of opinion that conscience should be free, and appealed to Penn in confirmation of what he then told them. He said he should remain firm to the Declaration; and he hoped to establish it before he died in so regular and legal a manner, that future ages should have no reason to change it.[5] Penn needed this assurance. He feared the King's violent temper not less than the bigotry of Parliament. He had no confidence in a freedom depending on the will of James; and he even asserted in the address a hope that means would be taken to get the formal sanction of the legislature.[6] In a private audience he went still further. He told the King that the only way to secure the confidence of the nation, and to obtain the sanction of Parliament for the law he had so much at heart, was to act on open and moderate principles—to banish the Jesuits and other ultra-Papists, who now surrounded him daily at Whitehall, from his presence. In this way only could freedom be given to conscience in England. Had James had the moral courage to follow this counsel he might have died on the throne of his ancestors, and left behind him a great reputation amongst our native princes. He hesitated —and fell.[6]

Two powerful parties received the Declaration with open

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[1] MS. Records in Devonshire House.
[2] Kennett, 463-5.
[3] Barillon to Louis, May 12.
[4] Ayscough MS. 44.
[5] Besse, 130.
[6] Ayscough MSS. 44.
[7] Van Citters, July 19, 1687, MS.

hostility. The Protestant feeling of the country was alarmed—and not without cause. The King was an ostentatious devotee. He spent as much as ten hours a day with his prayers and his rosaries. It got abroad that he was urging the Princess Anne to make a new declaration of faith.[1] He had introduced and protected various orders of popish monks. A company of Benedictines were settled at St. James'. The Franciscans had built a chapel in Lincoln Fields. The Cistercians took up their abode in the city.[2] A papal nuncio was received at court; and the Jesuit Father Petre was sumptuously lodged at Whitehall in the apartments occupied by James himself when Duke of York.[3] A new royal chapel, adapted to the gorgeous ritual of the Roman Church, had been erected near the Palace; and, worst of all, the Jesuits had founded a college in the Savoy for the education of youth, which was already crowded with scholars, half of them at least the children of protestant parents.[4] No zealous churchman could think of these things without alarm and indignation. There were other fears in which Penn could sympathize more freely. Liberal men saw the peril of such a power as the King now claimed. Where was the line to be drawn? If the King could suspend the penal laws, what could prevent him from suspending the Habeas Corpus Act, or even the Great Charter? James had formed a camp at Hounslow, and although he there drank healths to the Church of England as by law established, many moderate men suspected some deep design against the liberties of the subject to be the end of his military organization.[5] The friends of toleration, and Penn more than others, were therefore most anxious to obtain the sanction of Parliament for the suspension of the penal laws.[6]

The Jesuits had obtained a commanding influence at Whitehall, and the real friends of the King began to see with alarm that their pernicious counsels would bring some fatal disaster on the country. Against this evil influence Penn strained every nerve,—often using a boldness of expostulation which James would not have brooked from any other man.[7] He told

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[1] Ellis Orig. Letters, iv. 90, 91, First Series.
[2] Mem. of James the Second, 79. [3] Ellis, Orig. Letters, iv. 100, 1st Series.
[4] Mem. of James the Second, 79.
[5] Ellis, Orig. Letters, iv. 96. First Series.
[6] Johnstone, February 6, 1688. *Quo.* Mackintosh, 219.
[7] Clarendon Diary, June 23, 1688.

him that neither Churchmen nor Dissenters would bear their pride and ambition. The nation, he hinted broadly, was alarmed, but still more indignant.[1] He wished to see the Whigs taken into greater confidence, and kept up an irregular intercourse between their leaders and the court. He carried Secretary Trenchard, Lord Chief Justice Treby, and Mr. Lawton to the royal closet, and urged them to speak openly to the King, disguising nothing of the state of the nation, but placing before him in its true aspect the general opinion as to his course of policy. James was sometimes deeply impressed with these discourses. Trenchard was an accomplished courtier; he had been one of the Holland exiles, and owed his restoration to his native land to Penn. Lawton, a young man of parts and spirit, had attracted Penn's notice; in politics he was a state Whig, and it was at his instance that he had braved the King's frowns by asking a pardon for Aaron Smith. One day over their wine at Popple's, where Penn had carried Lawton to dine, he said to his host:—"I have brought you such a man as you never saw before; for I have just now asked him how I might do something for himself, and he has desired me to get a pardon for another man! I will do that if I can; but," he added, turning to Lawton, "I should be glad if thou wilt think of some kindness for thyself." "Ah," said Lawton, after a moment's thought, "I can tell you how you might indeed prolong my life." "How so?" returned the mediator; "I am no physician." Lawton answered: "There is Jack Trenchard in exile. If you could get leave for him to come home with safety and honor, the drinking of a bottle now and then with Jack would make me so cheerful that it would prolong my life." They laughed at the pleasantry; and Penn promised to do what he could. He went away to the Lord Chancellor, got him to join in the solicitation, and in a few days the future secretary was pardoned and allowed to return to England.[2]

As Trenchard knew the exiles and the opinions current in Holland, Penn felt how serviceable he might be if James would only listen to his advice. That together they produced a powerful diversion of sentiment is certain; and things were so near a change at one moment, that Penn was actually

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[1] Van Citters, July 19-28, 1687. MS.

[2] Lawton's Mem. Penn. Hist. Soc. Mem. iii. Part. ii. 220. [3] Ibid. 227.

sent by the King to Lord Somers with an offer of the solicitor-generalship: this was before it was offered to Sir William Williams, and consequently before the trial of the seven prelates.[1]

But these favorable signs passed away; and the next step into which the King was urged by his Jesuit friends was an attempt to obtain a footing for the members of his own Church in the Universities. The right of Catholics, as of all other Englishmen, to share in the advantages offered by our national seats of learning, most liberal men now concede—though the right is not yet legally admitted. To James it seemed intolerable that the very descendants of the men who had founded and endowed the colleges with their worldly estates should be excluded from them because they had not changed their religion; and Penn, who saw no evil in a liberal education for all classes, was equally anxious that his own alma mater should be open to his children without any sacrifice of their conscientious scruples. But considering the violent and suspicious temper of the times, the King showed little tact in his mode of opening these nice discussions; and unfortunately he embroiled himself at the same moment in quarrels with both Oxford and Cambridge. It had been customary at the eastern University to grant honorary degrees at the recommendation of the sovereign, without the usual oaths or examinations. The Mohammedan secretary to the Morocco embassy, and several other persons connected with foreign courts, had been thus honored. Native noblemen frequently received the distinction without examination,—and Lightfoot had not been subjected to the oaths. The King ordered the Vice-Chancellor to admit Alban Francis, a Benedictine monk and Catholic missionary in the district; but Dr. Peachey was alarmed at the idea of a papist getting into his little senate, and made conscientious objections. These objections James received as a personal insult. He referred to the customs of the University, and found there was no instance of the royal mandate having been refused,—that examination had frequently been dispensed with; and as to the oaths, it was not to be endured by such a man that a scholastic body should dispute a right which the whole bench of judges had declared to pertain to the crown. Peachey was

[1] Lawton's Mem. Penn. Hist. Soc. Mem. iii. Part ii. 227.

prosecuted and dismissed his office,—though not without violent scenes occurring in the University.[1] The Oxford affair was much more serious. The presidency of Magdalen College, then one of the richest foundations in Europe, was vacant. James naturally desired that so important an office should be filled by one not unfriendly to the Catholics, and he therefore named Antony Farmer for election. But on inquiry being made it was found that Farmer was not legally qualified, and was besides a man of ill repute. The Fellows of the College thereupon drew up a petition praying the King to name some other person; but through an error this prayer did not reach his majesty for some days, and in the meantime, not hearing from Whitehall, they elected Dr. Hough, a man of blameless life and moderate abilities, to their president's chair.[2] Hough and Farmer both appealed to the King,—and he referred the case to the Ecclesiastical Commission, by which tribunal Hough's election was declared void, and Farmer's case was quietly dropped. The friends of the court then tried to allay the heats which had arisen. Several weeks were allowed to elapse that passion might cool down, but the Fellows were now excited to the pitch of resistance, and when James sent a new mandate, ordering them to proceed to a fresh election, and recommending the bishop of the diocese to their favor, they boldly declared they could not obey, as Hough was alive, and they regarded him as duly chosen. The King heard this report with an angry scowl. When, in his journey to Bath, he received at Oxford the Heads of Colleges, he upbraided them in unkingly terms for their disobedience, and threatened to proceed against them to extremities unless they complied with his wishes. They continued firm, and his anger hurried him into a course which his judgment did not approve, and which he afterwards bitterly regretted.[3]

There was much need of a wise and sober mediator. Penn, then on a tour in the western counties, had joined the King in his progress; and deeply grieved at the turn which the College affair had taken, interposed his good offices to procure an amicable settlement of the dispute.[4] He went to see the

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[1] Mem. of James the Second, ii. 125-7. State Trials, xi. 1315-40.

[2] Wilmot's Life of Hough, 10 et seq. There are several letters of Hough's in the Brit. Mus., Add. MSS. 9828.

[3] Mem. of James the Second, ii. 124.

[4] Creech to Charlett, September 6. MS. in Ballard's Collection of MS. Letters, xx., Bodleian Library.

Fellows of Magdalen; from what he had heard of the dispute, he thought they might be induced to make such concessions as would promote peace and save the King's honor. But on hearing from Creech, whom he met at a dinner-party immediately on his arrival at Oxford, a lengthened account of what had occurred, he felt less sanguine.[1] Next morning he rode down to Magdalen and met the Fellows: Hough, the President, Hunt, Bailey, and others, were present. Here they had a long and interesting discourse. The collegians cited their charters and appealed to their Protestant character. Penn was soon convinced that they were in the right and that the King was in the wrong; and with the ready frankness which distinguished him, he not only let the Fellows see that he sympathized with them in their trials, but offered to write to his majesty and tell him what he thought.[2] They, of course, gladly availed themselves of this important and impartial testimony; paper and pens were brought, and in their presence he wrote a short but pregnant letter. Their case, he said, was a very hard one; they could not yield to his majesty's desire without an evident breach of their oaths. Such mandates, he concluded, were a force on conscience, and therefore contrary to the King's own intentions. This letter the collegians themselves delivered to their sovereign.[3]

James continued obstinate as ever. On the day of his interview with the College, Penn was obliged by his private concerns to quit Oxford; but the Fellows had already learned to regard him as their friend and mediator. Of this there can be no doubt. A prominent member of the College, Dr. Bailey, wrote to him after he quitted Oxford, as one who had been so kind as to appear in their behalf already, and was reported by all who knew him to employ much of his time in doing good to mankind, and in using his credit with the King to undeceive him of any wrong impressions he might entertain of his conscientious subjects, and to secure them from prejudice and oppression.[4] All the cotemporary accounts are conceived in the same spirit. Creech says he appeared in their behalf.[5] Sykes is equally emphatic. Indeed the letter

[1] Creech to Charlett, September 6, MS. in Ballard's Collection of MS. Letters, xx., Bodleian Library.

[2] Sykes to Charlett, Sept. 7. MS. Ballard's MSS. xxi.

[3] Ibid.; also Creech to the same, September 6, MS.

[4] Bailey to Penn, October 3.

[5] Creech to Charlett, September 6, MS. Ballard's MSS.

to the King would be decisive, were there no other evidence. That letter emboldened the Fellows to draw up a strong petition to the same effect, which they all signed and carried to Lord Sunderland, who promised to present it to his Majesty.[1]

The King still refused to listen. Remonstrance and entreaty were equally vain. Though Penn denounced his measures as contrary to his often-avowed sentiments in favor of liberty of conscience, and the Chief Justice Herbert declared them against the law of the land, he would not retreat.[2] He professed to believe it impossible for churchmen to oppose the royal will. A sincere bigot himself, and scrupulously truthful in his words, he could not imagine, after the declaration of unlimited obedience promulgated by the whole University, that the members of a single college would dare to appeal from their own dogma to the free instincts of nature. "If you are really Church-of-England men," he said to the deputation, "prove it by your obedience."[3]

Magdalen had still much need of Penn's services; and to secure his goodwill and future mediation in their cause, Dr. Hough and several Fellows were deputed to wait on him after he had again joined the court circle at Windsor. The particulars of the interview then and there held are preserved by Hough himself.[4] The conversation was continued for three hours. Penn expressed his great concern for the welfare of the College, and said he had made many efforts to reconcile the King to what had passed. He regretted that matters had gone so far before he was made aware of the dispute; in an earlier stage — before the King's self-love had been wounded—it would have been comparatively easy to arrange. Still he would do his best; and if he failed, it would not be for want of will to serve their cause. He then stated such doubts as had occurred to him; the Fellows answered them one by one, and after some thought he confirmed his former impression and confessed himself satisfied they were in the right. On their way to Windsor, the deputation had feared lest Penn might make some tempting offer at accommodation. But on further acquaintance with the dispute, he felt that they were right, and though he wished the quarrel ended, he would not insult them by advising submission.[5] Once he

[1] Sykes to Charlett, Sept. 9, MS. [2] State Trials, xi. 1063.
[3] Creech to Charlett, September 6, MS. Ballard's MSS.
[4] Hough to his cousin, October 9. [5] Ibid.

asked the Fellows, smiling, how they would like to see Hough made bishop. Cradock replied, in the same vein of pleasantry —they would be very glad, as the presidency and bishopric would go well enough together. But Hough answered, as he says, seriously; and the allusion dropped.[1] The deputation was possessed with the fixed idea that James intended to rob them of their college. The Papists, they said, had already wrested from them Christ Church and University; the contest was now for Magdalen. This touched Penn nearly; he remembered his own writings against Catholic doctrine; and he replied with vehemence—That they shall never have. The Fellows, he said, might be assured. The Catholics had got two colleges: to them he did not dispute their right; but he could confide in their prudence. Honest men would defend their just claims; but should they go beyond their common rights as Englishmen, and ask from royal favor what was not their due, they would peril all they had acquired. He felt sure they would not be so senseless. At the same time he told his visitors that he thought it unfair and unwise in them to attempt to close the national Universities to any class of Englishmen: others besides churchmen wished to give their children a learned education. To this free counsel Hough made some demur; and finding the chief of his visitors a man of narrow views, Penn ceased to urge this point, though he felt that, as far as liberal men were concerned, it lay at the root of the question. Though he could not agree with their educational politics, he said he was willing to be of use to them with the King. Hough suggested that he could most promote their interests by laying a true statement of the case before their incensed sovereign. They produced several papers, which he read over carefully; these he promised to read again to the King, unless peremptorily forbidden. And so the deputation withdrew.[2]

James was not to be stirred from his purpose. A commission was sent down to Oxford, and the uncompromising champions of Church prerogative were all ejected from the college. Yet they lost little by their temporary removal. His self-love gratified, the King soon afterwards restored the Fellows to

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[1] Hough to his cousin, Oct. 9.
[2] Ibid. See EXTRA CHAPTER, THE MACAULAY CHARGES.

their honors and emoluments; and after the revolution Hough was rewarded for his resistance with a bishopric.[1]

Affairs were now hastening to a crisis. When Dissenters and Commonwealth men were the only parties likely to fall under the frowns of authority, Oxford could issue precepts of unconditional obedience; but when its own rights and privileges were placed in peril, it was the first and most obstinate in resistance. A cynic would have smiled at this conversion; but Penn remembered how that infamous edict had clouded the last days of Algernon Sidney, and he longed to break away from a scene so full of corruption to the freedom of his own virgin forests.[2] In the very height of his courtly greatness, he wrote to his friends in Philadelphia in terms which no one can mistake:—The Lord only, he said, knew the sorrow, the expense, the hazard of his absence from the colony; but his prayers were poured out fervently and with a prostrate soul to Him for aid to return to that beloved country where he was anxious to live and die.[3] But the King pressed him to remain in England. He declared himself resolved to establish toleration and to abolish the Test Act; in which good work, he said, he should have to rely much on his help and counsel.[4] Though his own affairs were getting daily more and more confused by his absence from Pennsylvania, he could not desert the headstrong reformer in his hour of need.[5]

Not satisfied with private mediation, such as he had exerted in the Oxford affair, he took up his pen and wrote the elaborate and masterly pamphlet, "Good Advice to the Church of England, the Roman Catholic and Protestant Dissenters"[6]—in which he showed the wisdom and policy, as well as Christian duty, of repealing the Test Acts and penal laws against opinion. He admitted frankly, as he had done to the Magdalen delegates, that if he had to choose a State Church, he

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[1] Letters in Add. MSS. 9828. Mem. of James the Second, 119-124. State Trials, xii. 1-112.

[2] Penn to Turner, September 18.

[3] Hazard's Register, iv. 105.

[4] Ibid. iv. 134.

[5] "The Lord hath given me a great interest with the King—though not so much as is said—and I confess I should rejoice to see England fixed, and the penal laws repealed that are now suspended. If it goes well with England it cannot go ill with Pennsylvania. But this I will say, no temporal honor or profit can tempt me to decline from Pennsylvania, as unkindly used as I am; and no poor slave in Turkey desires more earnestly for deliverance than I do to be with you." Penn to Harrison, MS. (undated.)

[6] Penn's Works, ii. 749.

would prefer the one that was by law established to either a Catholic, a Presbyterian or any other. But he rejected the idea of its being necessary to have a supreme and intolerant Church. Opinion ought to be free; though at the same time he thought a proper respect should be paid by small bodies of sectaries to the national feeling. Therefore he urged the Catholics, seeing how few they were, and how powerful the feeling was against them, to be content with a bare toleration, and not provoke hostility by their ambition and self-seeking.[1] His greatest fear was that the King, under ill advice, would take some dangerous step against the Church, and ruin all his hopes. To counteract the rashness of his temper he procured anonymous letters from influential persons, which he read to him in private, without telling him from whom they came.[2] He took with him several churchmen to the royal closet, to undeceive the King as to that passive obedience which he relied on for impunity in his attacks. But James would not believe: he said he knew the spirit of the English Church. That it would never dare to oppose his edicts he was certain; for had not Oxford itself pledged the whole body of its followers to observe obedience to the royal will, as though it were the voice of God! Lawton almost laughed in the King's face at finding him so simple. "What," he said, "does any man live up to the doctrines he professes? The churchmen may believe that resistance is a sin; but they believe that swearing and drunkenness are sins also—yet many of them drink very hard and swear very often." "Ha!" replied James, smiling disdainfully, "you don't know the loyalty of the Church as well as I do," —and the bold expostulator bowed his way out of the royal closet.[3]

In April of this eventful year James again renewed the Declaration of Indulgence; in the November following he promised that Parliament should meet; and Penn fondly hoped that the sanction of the two Houses would then be obtained for this righteous law. But before that day arrived his sovereign was an exile in a foreign land. In his misplaced confidence an Order in Council had been issued at the same time as the royal Declaration commanding it to be read in all churches. Penn

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[1] Penn's Works, 771-3.
[2] Lawton's Memoirs. Penn. Hist. Soc. Mem. iii. Part ii. 226.
[3] Ibid. 224, 5.

opposed this insane proceeding; but nothing could now save the infatuated monarch.[1] Sancroft and six of the bishops opposed this order; they had now found out the folly of their own doctrine of obedience, and the ministry committed them to the Tower. Penn saw that this was the crisis of the question. In spite of the decision of the judges, he had doubts as to the King's right to suspend the penal laws without consent of Parliament; and he struggled to bring more liberal councillors into office. For a moment James inclined to adopt his views; he proposed to make Lawton a magistrate and a member of the Lower House; he named Trenchard, Lord Chief Justice at Chester (the post he was raised to after the Revolution); and sent his adviser to Lord Somers.[2] When the Prince of Wales was born, he urged the King to seize that gracious opportunity to set the prelates at liberty, and pronounce a general pardon for the exiles. But an evil genius overruled these sagacious councils.[3] The bishops were tried and acquitted to the satisfaction of the whole country. That was the first act of the Revolution. Then William came over with his Dutchmen,—the professed friends of James abandoned him in his hour of peril,—and finding treason in the court, in the camp, and in his own family, he fled before the menaces of his son-in-law into France.[4]

That these events were a source of pain and anxiety to Penn there can be no doubt. James had been throughout a kind and indulgent guardian. He had rescued him from the dungeons of the Tower, into which he had been thrown by the Bishop of London on a charge of heresy. He had made over to him in the first instance the territories of the Delaware. He had interposed in the dispute with Baltimore, and procured for him a favorable settlement of that troublesome claim. Two years before his downfall, when the minister of the day had issued writs of *quo warranto* against the proprietors of Connecticut, Pennsylvania, Maryland, Rhode Island, the Jerseys, Carolina, and the Bahama Islands, he interposed his good offices and commanded Sunderland to strike the name of Pennsylvania out of the list of condemned provinces.[5]

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[1] Lawton's Memoirs, 230. Johnstone, May 23. *Quo.* Macintosh, 241.
[2] Ibid. Mem. Penn. Hist. Soc. Mem. iii. Part ii. 227.
[3] Ibid. 230-1. [4] Mem. of James the Second, ii. 275 77.
[5] Sunderland Letter-Book, 629, 337. Plant. Gen. Papers, B. T. v. 32. State Paper Office.

As a Quaker and a Democrat, Penn of course had no sympathy with the political opinions of the King. When James was put under arrest at Feversham, he was informed among other disasters that Penn had been seized: he said he was sorry for it, but he was sure that no serious charge could be urged against him.[1] His part had been open and consistent. He had done his utmost to prevent the necessity for recourse to a revolution; and it was not without deep anxiety that he saw the change of rulers. He believed James to be sincere in his desire to establish freedom of opinion; and as things then stood in England, this freedom was of far greater importance than any question which could seriously arise as to the limits of the royal prerogative. In William of Orange he saw a man of policy—not of ideas. His object was to be King; and whatever, in the secret depths of his own mind, he might think of tests—unknown in his own country—there was no hope that he would risk the least unpopularity by helping to remove them from the statute-book of England.[2]

CHAPTER X.

1688–1694.

NIGHT AND MORNING.

The advance of William and the King's flight were the signals for a general movement. The tools, the favorites, the friends, the ministers of James, all thought it prudent to retire from public notice. Curious were the means of escape and ludicrous the incidents attending it in many instances. The redoubtable Jeffreys tried to escape in the dress of a common sailor; the subtle and intriguing Sunderland quitted his country in his wife's cap and petticoat.[3] Of the men who had stood near the throne for the last three years and a half, Penn was almost the only one who remained in London. Conscious of no crime, he turned a deaf ear to every entreaty of his friends to provide for his personal safety by flight.

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[1] Harl. MSS. 6852, Art. 26.
[2] Letter to Popple, October 24.
[3] Evelyn Mem. i. 660.

They urged—and with reason—that he had been too intimate with the late King to escape suspicion under the new reign; and if he did not choose to follow James into France, he had still an honorable refuge open to him in America, where he might remain in peace until the first heat of party vengeance had abated. But he would not change his own straight course. He said he had done nothing but what in his belief was for the honor and good of England,—and he was not afraid to answer for it before all the princes in the world. He would not change his lodgings even; or keep in the shade more than he had done in his day of favor. As in the time of the late King, he appeared daily at Whitehall;[1] which bold and open conduct soon provoked inquiry. The Lords of the Council who had assumed the general management of affairs on James' flight becoming known, resolving to pass him under examination, sent their messenger to him as he was taking his usual walk in Whitehall; and on being told that the Lords were then sitting, he at once obeyed the summons to attend. The moment was one of great excitement: the mob were already engaged in burning the houses of suspected persons; and to have been associated in any way with the court was enough to incur in their rude judgment the penalties of suspicion. When Penn appeared before them, the Lords of the Council inquired into his past conduct and present opinions. He courageously replied, that with regard to what was passed, he had always loved his country and the Protestant faith, and had ever done his best to promote their true interests. As to the present—the King, he said, had been his friend and his father's friend, and therefore, though he no longer owed him allegiance as a subject, as a man he retained for him all the respect which in other days he had ever professed. He had done nothing, and should do nothing, but what he was willing to answer for before God and his country.[2]

The Lords were at a loss what to do. They were themselves acting under a power which they had usurped; and were afraid to take a step which might lead to failure and unpopularity. The only thing which appeared against the prisoner was his own confession of attachment to the fugitive King. Yet to discharge so conspicuous a friend of James, they dared not, being unaware how far the Prince of Orange

[1] Besse, i. 139. [2] Ibid.

might approve of the step. They got over their difficulty by taking security in 6000*l.* for his appearance on the first day of the following term, to answer any charges which by that time might be made against him; and with the threat of prosecution hanging above his head, he was permitted to remain at large.[1]

Meantime the desires of the Prince of Orange were crowned with success; the government was settled, as he designed it should be from the first, entirely in his own interest; and he and his consort—the legitimate heir to the throne, setting the young Prince of Wales aside—were crowned King and Queen. But Penn was not left in peace. Some fresh cause of suspicion arose,—low spies and informers dogged his footsteps,—he was believed to be rich, and there were many about the court who would gladly have shared in the spoils of his fortune,—and at the end of February the Lords in Council issued a warrant for his arrest.[2] But the intended victim had been secretly made aware of the new accusations against him, and of the low witnesses whose evidence was to be taken, and he prudently declined to surrender himself up until Easter term, as already fixed in his bond. However, not to sanction malicious reports by an apparent flight, he wrote to the Duke of Shrewsbury, to say that he was living at his own house in the country, attending to his private affairs and the concerns of his colony; that he did not feel justified in giving himself up an unbailable prisoner, seeing in how heavy a sum he was already bound over to appear on the first day of the ensuing term; that he could affirm, without reserve or equivocation, his entire ignorance of any plot or conspiracy against the new government.[3] The King seems to have acceded to his request to be allowed to remain in the country until his day of trial. By Easter term, however, men's minds were calmer; and when Penn appeared in court to defend himself, not one of his secret accusers dared to confront him. Not a whisper was there uttered of his being a Jesuit. No man accused him of having done any wrong. The judge declared in open court that he stood cleared and free of every charge that had been made against him.[4]

Though now believing himself to be personally safe, he was

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[1] Ellis Correspondence, ii. 356.
[2] Privy Council Register, W. R. i. 24. Privy Council Office.
[3] Penn to Shrewsbury, March 7, 1689. [4] Besse, i. 140.

still anxious for his colony and his country. Even before the coronation of William and Mary, he foresaw the probabilities of a general war. The Prince of Orange had desired to be King of England chiefly that he might become a power in Europe. His thought by day and his dream by night was a grand coalition of the Protestant powers of the North and a war with France. A war with France, as the governor of Pennsylvania knew only too well, would materially affect his province; as the declaration itself would instantly lead to hostilities in North America. He was most anxious, therefore, to get out to Philadelphia before the troubles commenced in that region; and began to make preparation for the voyage.[1] A few weeks later the unwelcome tidings were officially conveyed to all the plantations. The war with France, which was to upset so many colonial governments, had actually commenced.[2]

In the midst of these discouraging prospects, it was some consolation to find the new King of England true to the tolerant principles which he had expressed in the Hague conferences. At the risk of giving mortal offence to the Church party, he pressed for an Act of Toleration for Dissenters, and even declared it necessary to afford protection to the Papists.[3] His own temper was not merciful, but he was a politic prince; and he knew the vast power which the position he aimed to acquire, as protector-general of Protestants, from the fiords of Norway to the banks of the Theiss and the Danube, would give him in the councils of Europe; and he naturally asked himself with what effect he could interfere in behalf of the Finn or the Hungarian, if he gave the Catholic at home a just cause of complaint? Even before his election to the throne he had entered into treaties with the Pope and the Emperor.[4]

The Act of Toleration was, of course, powerfully opposed by the Church; but the King was resolved to carry it through the two Houses, and he did so by a large majority. The existence of Dissenters was recognized. Their chapels and meeting-houses were made legal. They were no longer to be liable to fines and imprisonments for not attending the Es-

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[1] Penn to Friends in Pennsylvania, January, 1689.
[2] Plant. Gen. Papers, April 15. State Paper Office.
[3] Burnet, iv. 21, 2. Hist. Parl. v. 184.
[4] Dartmouth's Note to Burnet, iv. 21.

tablished Church. The only exception to this general rule was made in the case of Unitarians. They were still beyond the pale—outlaws in their own land. But the number of persons professing simple Theism was not large in those days. The Quakers were not only included in the general list of Protestant sects, they were relieved from their old grievance of double taxes on making a declaration of fidelity to their Majesties;[1] and a special clause was introduced in their behalf into the bill. Other dissenting bodies were required to take the usual oaths to the government:—the followers of Fox were allowed to make a simple declaration. It was enacted that licenses should be taken out for the houses, chapels, or other buildings to be used for the performance of public worship; and that magistrates should have no power to refuse the license except on good and reasonable grounds.[2] Henceforth every man could worship God according to his own notions, without the fear of stripes, stocks, fines, and imprisonment being constantly before his eyes. A great instalment of justice was paid down:—but it was only an instalment. The Test Act was still unrepealed. The members of the Established Church alone enjoyed the full rights of Englishmen. No Presbyterian, no Independent, no Quaker, could hold office—serve in the army or navy—sit on the bench as a magistrate—act as guardian to any ward—enter either of the national Universities—or execute any legal trust. In relation to the state he was still an outlaw. The Catholic and the Socinian were in a still worse position. They were formally excluded from the Act of Toleration.[3]

Penn was highly gratified with the results obtained, though they fell so short of his own desires. The new Act disarmed the petty tyrant. It opened the prison-doors to crowds of his humble brethren. He hoped it would gradually lead to a still more liberal and enlightened policy, when the dominant parties became aware how great an accession of union and strength it would bring to the nation. But he had little time to indulge in these reflections. In the spring of 1690, before the King set out for Ireland, where the war was raging, a band of military one day beset his house and placed him under arrest. He had no conception of the cause of this

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[1] Parl. Hist. v. 473.
[2] Statutes, 1689.
[3] Burnet, iv. 16.

outrage; but he was hurried off to the council, where the Lords then sitting informed him that he was arrested on a charge of holding treasonable correspondence with James Stuart. He denied the charge, and appealed to the King in person.[1]

The Lords of the Council, now the rigorous persecutors of the exiled monarch, had some of them been the lowest fawners in his day of power. Nottingham, Danby, Delamere, Henry Sidney—these were some of them! One can imagine an honest man's indignation at their questioning. They were good enough to admit the appeal; and Penn was then examined for two hours in the royal presence.[2]

At the outset he was informed that his clandestine correspondence was known to the King's government. What clandestine correspondence? He knew of none. An intercepted letter from King James was then shown to him. It bore his address; and in it the royal writer desired him to go to his assistance, and to express to him the resentments of his favor and benevolence. He was asked why James Stuart wrote to him? He said he could not prevent it; if the King chose, he could write letters to any one, himself included. The word "resentments" in the intercepted note puzzled the council. What resentments were those which he desired? "I cannot tell," said Penn; "but I suppose he wishes me to assist in bringing about his restoration." The Lords were startled at this frank interpretation. He could not, he continued, very well avoid being suspected of entertaining such a thought; but he could and would take care not to give just grounds for the suspicion. He confessed that towards the person of the exile he had felt a sincere friendship; and having loved him in his prosperity he could not now hate him in his adversity. But he must also be allowed to say, that he had never been able to agree with him in his political views. As a private person he was willing to render the exile any service in his power: as a citizen he no longer owed him obedience, and had never so much as thought of aiding to replace the crown which had fallen from his head.[3]

William was struck with a defence so unusual. He had a great desire to stand well with men capable of strong attachments. In England only a few months, he was already tired

[1] Besse, i. 140. [2] Gerard Croese's History of Quakers. [3] Ibid.

of his revolutionary friends, and had openly begun to look to the Tories for support. Yet he never won the old cavaliers to his cause. When Sunderland came back and regained the King's confidence, he urged him to confide more in the Whigs. "No," said William, "though I believe they love me best, yet they do not love monarchy." "True," replied the courtier, "the Tories are the staunchest friends of the King:—but then their King is James Stuart."[1] William was early made aware of that grave fact. The churchmen never cordially loved his person or his government. Sancroft set the example, and the inferior clergy were only too ready to obey his signals.[2] It therefore behooved the sagacious prince not to throw away any chance of support among the Dissenters. For his own part he would willingly have set Penn at liberty without conditions; but the council interposed, and in order to gratify their malice he allowed him to be bound over to appear in Trinity Term and answer any charges which might then be preferred against him. At the appointed time he appeared—and was again discharged.[3]

Meantime King James had landed in Ireland from France. That devoted country rose at his call; and General Schomberg was sent over with a small force to hold the insurrection in check until William could himself cross the seas with a larger army. The general made no head against the insurgent troops, and it was with difficulty that he maintained his own position in the country. The ex-monarch counted much on the factious disputes in London, and strongly urged his friends to be active in his cause. This policy only made William more determined to secure every place of power and trust in the hands of his own adherents. The local organization of towns was interfered with; and though a similar invasion of ancient municipal rights had been one of the greatest offences of the late ruler, the Dutch prince did not scruple to displace a number of mayors and appoint his own creatures in their stead.[4] Nor was this the only irregularity. Continental notions in other matters came in with the continental prince. William no doubt had many foes, open and secret; but it is not likely that any King of English blood and educa-

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[1] Onslow's note, Burnet, iv. 5.
[2] Buckingham's Works, ii. xiv. et seq.
[3] Besse, i. 140.
[4] Warrant Books, xxii. 113. State Paper Office.

tion would have dreamt, in the seventeenth century, of using the infamous system of private *lettres de cachet* as a defence against treason and conspiracy.[1]

William went over to Ireland and soon renewed the days of Cromwell in that unhappy country. Queen Mary was charged with full powers in his absence, and she displayed more vigor and capacity in those critical and perilous times than her subjects had ever dreamt she possessed. The French fleet, fighting in the interests of James, had engaged with and vanquished the Dutch and English ships, and even threatened to land on the coasts of Devonshire or Cornwall to rally the discontents which prevailed against the new rulers.[2] The partisans of James began to raise their heads once more in public; but the Queen frustrated their designs by her promptitude and vigor. She called out the militia; sent the defeated admiral, Lord Torrington, to the Tower; appeased the rising wrath of the States-General; and seized the persons of all whom she had reason to think disaffected to the new order of things.[3] Still the position of affairs was critical in the extreme. The high churchmen hardly deigned to conceal their dislike of the Dutch prince; Archbishop Sancroft had withdrawn himself from the council as soon as William's real object in coming over to England was made clear; the Bishop of Ely and other prelates were equally opposed to his government; and the commonalty were incensed at the thought of a new levy of four millions of taxes to support a foreign war, the interests of which they did not give themselves the trouble to understand.[4] While things were in this state of fear and confusion, the captain of a vessel then lying in the Thames went to the minister, Lord Carmarthen, to inform him that some suspicious persons had been to his wife and engaged with her to be secretly carried over to France on a certain day in her husband's vessel. He was thanked for this information, and told to carry out the contract as if nothing had occurred. On the day appointed three muffled and unknown persons entered the vessel, secreted themselves in the hold, and having given the signal to depart, the captain began to drop down the river. At Gravesend, however, by the contrivance of

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[1] Warrant Books, xxii. 263. A warrant to have four seals made for private *lettres de cachet.*

[2] Burnet, iv. 95.

[3] Ibid. iv. 96, 7.

[4] Ibid. iv. 122.

Carmarthen, there happened to be an officer of the press-gang in search of sailors, who, boarding the vessel in execution of his duty, found the three strangers in the hold and secured their papers. The men were Lord Preston, Master Ashton, a confidential agent of the Queen, Maria d'Este, and a young man of the name of Elliott. Some of the papers were unintelligible; but enough remained to reveal the fact of a plot, and to implicate several persons of rank and influence in the suspicion of being concerned in it; and a proclamation was immediately issued for the arrest of Lord Clarendon, the Bishop of Ely, William Penn, and some others.[1] Clarendon, though first cousin to the Queen, was seized and committed to a dungeon in the Tower; Ashton and Lord Preston were tried, found guilty of conspiracy, and condemned to the scaffold.[2] Elliot knew nothing and was discharged. Ashton died like a man; Preston whined and shuffled, pretending to be innocent himself, but trying to implicate others in the guilt of conspiracy, or at least to involve them in the suspicion of being dangerously disaffected.[3] Clarendon, through the good offices of powerful friends, aided by the important circumstance of his being the Queen's cousin, was ultimately pardoned and set at liberty on the easy condition of remaining on parole at his country house.[4] The Bishop of Ely and Penn could not be found, says Burnet; but this is certainly false so far as the latter is concerned. No search was made for him; he even offered to surrender himself a prisoner, and wrote to the Secretary of State to ask when and where he should present himself.[5] It seems doubtful whether Ely was really involved in the treasonable correspondence; the proofs

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[1] Burnet, iv. 127. [2] State Trials, xii. 646-822.

[3] Dartmouth's Note, Burnet, iv. 154.

[4] Rochester's Letters in Life of Burnet, vi. 300. Own Times, iv. 127.

[5] Penn to the Earl of Nottington, July 31, 1690, MS. As this letter has not been published, I transcribe it: "My noble Friend,—As soon as I heard my name was in the proclamation, I offered to surrender myself with those regards to a broken health which I owe to myself and my family; for it is now six weeks that I have labored under the effects of a surfeit and relapse, which was long before I knew of this mark of the government's displeasure. It is not three days ago that I was fitter for a bed than a surrender and a prison. I shall not take up time about the hardships I am under . . . but since the government does not think fit to trust me, I shall trust it, and submit my conveniency to the state's security and satisfaction. And therefore I humbly beg to know when and where I shall wait upon thee. Thy faithful friend.—W. Penn."

of his hand-writing were not very satisfactory; and still less was it made clear that the bishop, if he wrote at all, wrote in the name, and with the sanction, of his prelatical brethren. But the King was glad of any pretext to fill up the vacant bishoprics with his own creatures; and Ely was probably sacrificed to the exigencies of his home policy, as Penn was to the French war.[1]

In the face of a war with France, the royal councillors were anxious to bring the powers of the great American proprietors into more absolute control of the crown. The Stuart and Tudor kings had given away vast deserts to their creditors and favorites; but these deserts had now grown up into states, and the new ruler desired a greater concentration of authority in them as needful for a due prosecution of the war.[2] The colonial charters which had been called in for revision towards the close of the late reign, were not restored without mutilations and amendments. The free charter of New England was robbed of many of its most liberal clauses;[3] and because the Quaker colonists of Pennsylvania were not very forward to transfer their allegiance from a prince who professed religious toleration to one who strenuously insisted on a continuance of the Test Act, the pretext was seized by their enemies at court to propose a resumption of the province.[4] Maryland was in a similar state of jeopardy. As a Catholic, Lord Baltimore was equally out of favor at court with his rival,—and on account of the delay which occurred in proclaiming the new sovereign, he too was threatened with the deprivation of his charter. From this quarter at least—though his grant had not been made when the King fled[5]—Penn had nothing to fear. The boundary question still continued to excite disputes in the peninsula of the Delaware; but neither party cared to expose the quarrel to the common enemy at Hampton Court.[6] Penn was anxious to go out to his province; as he had been now several times arrested on mere suspicion, he felt that his life, to say nothing of his personal freedom, was no longer safe in England. Spies and in-

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[1] Comp. Ralph, ii. 260 et seq. with Burnet, iv. 127.
[2] Plant. Gen. Papers, May 18, 1689. State Paper Office.
[3] Mather, p. 9.
[4] Pennsylvania Papers, Oct. 4, 1689; April 10, 1690. State Paper Office.
[5] Proprietary Papers, vii. L. 38. State Paper Office.
[6] Penn. Hist. Soc. Mem. i. 182.

formers abounded on every hand, and no accusation was too monstrous not to find some who, from hatred or self-interest, were willing to give it credit. Affairs were also going grievously wrong in the province in consequence of his remaining so long away.[1] The war had commenced. New York was exposed to the incursions of the French, and the people of New England were burning with the desire to attack and conquer New France. Meetings were being held in the chief towns to organize means of defence; the colonists were calling on each other for mutual aid; here money was asked—there men. The Puritans of New England buckled to their sides those terrible long swords which their fathers had worn at Naseby and Marston Moor; and a warlike ardor which gladdened the stern and martial soul of William had spread from Massachusetts to the Carolinas. The Quakers alone remained calm. In the midst of this martial preparation they declared that they had no quarrel with the French, and would not fight. If the French and Indians came against them, they said they would go out to meet them unarmed, and tell them so.[2] Government was deeply troubled on hearing these things reported, and saw plainly enough that some extraordinary measures would need to be adopted for the security of the colonies in case they continued to maintain this attitude. The Pennsylvanians would neither defend their own towns, nor pay any war-contribution to the frontier governments of Albany and New York. The governor in England took a more practical view of the crisis; his colony contained others besides Quakers,—Germans, Dutchmen, Swedes and English, many of whom were disposed to shoulder a musket and draw the sword in defence of their homes and families. These men had no thought of giving up their scalps to the Iroquois, and their wives to the people of Canada; and the pacific disposition of the Quaker majority only lent fervor to the instinctive energy of the young and the unconvinced. A war party was rapidly gaining ground in the colony.[3] Penn felt how necessary it was that he should be on the spot to appease these scruples, and to regulate this growing enthusiasm. England had no further need of his services; and his residence there

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[1] Penn to Turner, Oct. 4, 1689.

[2] Pennsyl. Papers, Jan. 15, 1690–1. State Paper Office.

[3] Correspondence of Col. Fletcher, April and May, New York Papers. Pennsyl. Papers, July 16—Oct. 28. State Paper Office.

had already cost him six thousand pounds—the greater part of which had been given away in charities, in gaoler's fees, and in other legal expenses attendant on the liberation of prisoners.[1] The preparations for his departure were hastily made; he engaged a vessel to carry him across the Atlantic; and the Secretary of State had even appointed a convoy to protect him from the French cruisers during the voyage, when he was suddenly called to the death-bed of George Fox, —whose decease took place on the 13th of January, 1691.[2] Over his friend's grave, Penn delivered a long and eloquent oration. The ceremony was at an end and the crowd had just dispersed, when a party of officers arrived on the ground with warrants to arrest the speaker on another charge of treason and conspiracy. But he was gone.[3]

William Fuller, an infamous wretch who lived by accusing persons of distinction of monstrous crimes, to get himself out of the King's Bench prison, came forward and made oath that he knew Penn to be engaged in treasonous correspondence with the enemies of the kingdom, whereupon the warrants were issued by government for his arrest.[4] To have given himself up to the myrmidons of the law under the circumstances would have been an act of madness. Fuller was at the time one of the witnesses against the Queen, Maria d'Este, and the legitimacy of the young Prince of Wales,[5]—and, like Dangerfield in the day of his unblushing perfidy, he stood high in the opinion of those to whom he was useful.[6] The governor saw that the only course which he could take consistent with his honor and his safety, was to retire awhile from the public view; but this home-exile was far from being so strict a seclusion as has been supposed by Besse and others. His address was well known to some of the King's council; as during the whole of his thirty months' retirement he continued his usual correspondence with his friends at court, particularly with Rochester, Halifax, and Romney.[7] As a man bound by his convictions not to take oaths—and universally

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[1] Penn to Hugh Roberts, Dec. 6, 1689.

[2] Friend's Register. Penn to Lord Rochester. Penn. Hist. Soc. Mem. iv. 197.

[3] Besse, i. 140.

[4] Parl. Hist. v. 672.

[5] See his wretched pamphlets, "A brief Discovery of the true Mother of the Prince of Wales," &c., 1699, and his "Humble Appeal," 1706.

[6] Parl. Hist. v. 672, 3.

[7] See the Corresp. in Penn. Hist. Soc. Mem. iv. 192 et seq.

known for his humane and forgiving temper,—he was unfortunately just the sort of quarry that was desired by the race of scoundrels and informers with which the country then swarmed. The villain who should wrong him most deeply might hope, in his case, to escape the revenges natural to the wronged; and some of those about the King's person were only too ready to entertain any accusation, however absurd, against a man of his high character. Before the new warrants for his arrest were issued, a charge had been vamped up against him in Dublin by the same Fuller, a confederate called Fisher, and a third scoundrel, whose name has perished. On hearsay evidence, and contrary to all the usages of law, the grand jury found a bill against the accused, who had not been in Ireland for twenty years, and was at that time walking about the streets of London, where the alleged crime was supposed to have been committed![1]

Only a few months after this accusation was made on oath, the character of Fuller was brought by another train of circumstances, under notice of the House of Commons; when, after a careful sifting of the evidence in his behalf, it was resolved that he was a notorious cheat, rogue, and false accuser, that he had scandalized the magistrates and government, and abused the House.[2] Penn had judged rightly: "I know my enemies," he said; "their true character and history, and their intrinsic value to this or other governments. I commit them to time, with my own conduct and afflictions."[3] His own afflictions! They were dark and bitter in these evil days. Domestic misfortunes, heavier than all else, fell on his devoted head. His wife Guli sickened with the hourly sense of her husband's wrongs—and was nigh to death.[4]

The House of Commons demanded of the crown officers that Fuller should be prosecuted in the courts of law; and, after a fair trial, he was found guilty of imposture and false accusation, and sentenced to the pillory. His whole life was a lie and an abomination. Ten years after this false swearing against Penn, he again found himself in the toils of an enemy less gentle; he was charged at the Guildhall as a libeller, convicted on clear evidence, and condemned to stand thrice in the pillory, to pay a thousand marks fine, and to rot in the house of correction with felons and murderers.[5]

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[1] Penn's Letter. Ibid. iv. 199.
[2] Com. Jour. Feb. 20.
[3] Penn. Hist. Soc. Mem. iv. 200.
[4] Coll. Works, i. 231.
[5] State Trials, xiv. 518–35. While in the illory at Charing Cross, and

Yet, even when the vices of their witness had wholly discredited his oath, there were those about King William's person who could persuade him not to recall the warrants of arrest. His own avarice and love of power helped him to see the force of their reasoning; at least while the war raged with Louis Quatorze, he was anxious to have all the reins of government in his own hands; and he willingly listened to the advice of those who pressed him to annul the colonial charters, and establish one central and imperial seat of government in America. But to give a colorable pretext for this illegal act, it was necessary to keep the governor of Pennsylvania in the shade; to hold the threat of a prosecution—which, it was well known, could not be maintained except by perjury—suspended above his head; so that, when the conspiracy to defraud him of his right was ready to take effect, he would be unable to appear and offer an effectual resistance. To the importunities of Penn's friends, he therefore answered evasively; he was always engaged;—a manifest subterfuge, adopted only to gain time.[1] It was now that Locke offered to interpose his good offices to procure for him a pardon. The offer touched his heart; for as the common herd of men had followed him into his retirement with clamors and vehement abuse, this tribute to his merits was peculiarly flattering, coming as it did, at such a moment and from such a man; but he rejected the proposal on precisely the same grounds as the philosopher had done his own appeal to the clemency of King James. As he had committed no crime, he would receive no pardon. In his letters to Romney and Rochester, he appealed, not to the King's mercy, but to his justice. He desired it to be understood that he would not receive his liberty on conditions. Though longing most earnestly to sail for America, he would not go out under the suspicion that he went as an exile. As his fortunes fell, his spirit seemed to rise. In the day of his deepest misery, his words were proud and almost exacting.[2]

Then came the crash. On the 10th of March, 1692, an order in council was issued, which deprived him of his govern-

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again at Temple Bar, he was much beaten by the mob; at the Royal Exchange he was used more leniently. Annals of Queen Anne, i. 53.

[1] Penn's Letters to Romney, with the answers endorsed. Penn. Hist. Soc. Mem. iv. 192–5.

[2] Penn to Rochester, Penn. Hist. Soc. Mem. iv. 197.

ment, and annexed it to that of New York.[1] So far as the King was concerned, the question seems to have been decided on purely military grounds. No case was made out against Penn; no instance of incapacity or want of faith on his part was cited. In order to present a bold front to the combined corps of French and Iroquois, then hovering on the frontiers, unity of command was judged advisable; and Colonel Fletcher was commissioned to govern Pennsylvania until the King's pleasure was made further known, and to assume the command of all military forces, militia and regular, in New York, Connecticut, the Jerseys, Pennsylvania and Delaware.[2] Still the blow was crushing.

On every side were gathering darkness and despair. His whole fortune had been expended on the colony; he had maintained the government out of his private purse, so as not to burden the infant settlement; a hundred and twenty thousand pounds, an enormous sum in those days, did not cover his losses.[3] So long as his English property remained—while his family stood above mere want—he cared little about these sacrifices. But poverty had come down upon him suddenly. His Irish estates had been devastated and ruined by the war;[4] what remained of them was put among the Estates of Outlaws, on the strength of the bill of conspiracy illegally found against him in Dublin; and the rents were confiscated to the crown, though no conviction or sentence of outlawry had been passed in any competent court of law.[5] At home, he had been hardly less unfortunate; and his wily stewards, the Fordes, had contrived, by their legal chicaneries—first, to involve, and then to obtain for themselves a monstrous claim on, his property in Kent and Essex.[6] From the distinguished position of governor of a province, he had fallen to that of a private individual; ruined in his estate, deprived of his honors, suspected by the government, the prey of a rapacious lawyer, and deeply involved in debt. The personal inconvenience, however, was the least of the evil. Most of all he was alarmed for his model State. Colonel Fletcher, a mere soldier, coarse,

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[1] Privy Council Registers, W. R. ii. 346, 7. Privy Council Office.
[2] New York Papers, April 2. State Paper Office.
[3] Penn to Popple, Oct. 24, 1688.
[4] Penn to Turner, Feb. 4, 1693. Letter to Roberts, Dec. 6, 1689.
[5] Penn's Letter, Penn. Hist. Soc. Mem. iv. 199.
[6] Penn's Statement. MS.

abrupt, and unlettered, was an entire stranger to the Founder's ideas and intentions; and there was only too much reason to fear he would soon overturn that peaceful and popular constitution which he and Sidney had framed with so much thought and industry. Penn never doubted but that in the end he should be able to regain his colony, and continue, under happier auspices, the great republican experiment; but he also saw that the mischief done in a day might require years of patient government to retrieve. He therefore wrote a letter to the newly appointed officer, in which he warned him to tread softly and with caution—as the soil and the government belonged to him as much as the crown to the King: the charter, he said, had neither been attacked nor recalled; in the face of the law he was still master of his province; and as he was an Englishman, he would maintain his right.[1]

To his friends and to the officers of his government in Philadelphia, he wrote, advising them to insist with wisdom and moderation on the observance of their charters. He told them to hear patiently, and to obey the crown whenever it spoke in the voice of the law; to meet the assertion that the French and Indians would attack them—not by quoting their own notions of war and the friendly relations of the Iroquois—arguments to which the colonel would turn a deaf ear—but by showing how well their territory was defended by nature, being equally unassailable by land and sea.[2] Fletcher began his reign by an attempt to abrogate the whole body of the colonial laws; being himself an ultra-royalist, the laws of Pennsylvania violated all his notions of propriety. When the assembly objected to this sweeping measure, he showed them his commission, under the great seal of England. In reply, they pointed to their charter, also under the great seal of England; and some of those who held commissions from the proprietor at once withdrew from the assembly.[3] Before he went in person to Philadelphia, he had written urgently for supplies: the Quakers returned for answer, that they had nothing to send him, except their good wishes. Vexed at their obstinacy, as he thought it, he repaired to the seat of government, and peremptorily applied for a subsidy.[4] The assembly answered

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[1] Pennsyl. Papers, Dec. 5, 1692. State Paper Office.

[2] Extracts from Penn's Corresp. attested by Col. Fletcher, Pennsyl. Papers. vol. i. State Paper Office.

[3] Minutes, i. 360.

[4] New York Papers, Feb. 14, April 22, 1693. State Paper Office.

with a long list of grievances. No terms could be made: they would not give up a single law to revision. Fletcher felt himself committed; and to save his own honor, he proposed to re-enact the whole code as it then stood; but the assembly would not consent. "We are but men who represent the people," said John White, "and we dare not begin to re-enact any one of the laws, lest we seem to admit that all the rest are void." The colonel was in a dilemma. His great object was to obtain a vote of money; and the colonists would only give it on their own conditions. At last he submitted. On receiving from him a distinct recognition of their legislative powers, the assembly granted a tax of a penny in the pound, —stipulating, as a salve to tender consciences, that not a farthing of it should be dipt in blood. A permanent advantage remained with the chamber at the close of this dispute: they had bought the right to originate bills; and this right they ever afterwards maintained. Greatly dissatisfied with his own command, Fletcher wrote a letter to the King, urging, in the strongest terms, the impossibility of gaining a regular war vote in Pennsylvania, and praying him to consider the propriety of forming that colony, New York, the Jerseys, and Connecticut into one state, with a common assembly, as the only means of out-voting the Quakers, and compelling them to lend their aid in the common defence.[1] The displeasure of William fell on the absent governor; and the Privy Council even ordered the Attorney-General rigorously to inspect his patent, and see if some legal flaw could not be found in it which would furnish a pretext for its withdrawal altogether.[2]

This alarming proposition was made just at a time when Penn needed some startling intelligence to rouse him from the apathy caused by domestic affliction. Guli was dead—the "one of ten thousand, the wise, chaste, humble, modest, constant, industrious and undaunted" daughter of Lady Springett.[3] Her sorrows had brought her to a premature grave:—yet she lived long enough to see the appearance of a turn of fortune for her husband, and she died in the prospect of his restoration to his former rank and influence.

In the later part of the year 1692, his courtly friends—

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[1] Ibid. Sept. 15. State Paper Office.
[2] Privy Council Register, W. R. iii. 334. Privy Council Office.
[3] Penn to Turner, Feb. 27, 1693.

many of whom he had deeply obliged in his day of power,—but more especially the Earl of Rochester, Lord Somers, Henry Sidney and Sir John Trenchard, made a joint effort to put an end to the shame of seeing a noble character like Penn deprived of his liberty on pretence of an accusation made by a fellow whom parliament itself had denounced as a rogue and false accuser. Ranelagh, Rochester, and Romney went to the King and laid the whole case before him; William answered freely that Penn was his old acquaintance as well as theirs; that he had nothing to say against him; and that he was at liberty to go about his affairs just as he pleased. The lords pressed his majesty to send this gracious message to Sir John Trenchard, then the principal Secretary of State, and Romney was selected as its bearer on account of his long intimacy with Penn. Trenchard was glad to convey these tidings to his old benefactor; he spoke with feeling of the unsolicited kindness he had received from him in the dark times of Monmouth and Sidney; and was pleased to have it in his power to show that he was not ungrateful. But Penn was not content that the matter should end in this private way. The act of grace looked like a pardon:—he wanted an acquittal. He asked his powerful friends to procure for him a public hearing; and in November a council was called at Westminster, before which he defended his conduct so completely to the King's satisfaction, that he was absolved from every charge, past and present.[1] The reparation came too late. Guli was now too far gone for recovery; but the thought of her husband being free once more, with no stain on his name, cheered her descent into the grave. She died on the twenty-third of the following February at Hoddesden, and was buried with the simple rites of the Society to which she belonged at Jordans in the vicinity of Beaconsfield.[2]

During her prolonged illness, Penn had turned his attention to the policy of nations, and given up his leisure to the consolations of philosophy. Two of his most remarkable works are owing to these studies: one of these contains detached summaries of his experiences of men and things, and assumes the form of a book of maxims on the conduct of life—after

[1] Penn to Markham, Feb, 4, 1693.

[2] Friends' Register. Penn wrote a touching account of her last days. Coll. Works, i. 140 et seq.

the manner, but not in the spirit, of Rochefoucauld.[1] Speaking of himself in the preface of this work, he says—he has now had some time he could call his own, a property he has ever before been short of, in which he has taken a view of himself and of the world, observed wherein he has gone wrong or wasted good effort,—and has reached the conclusion, that if he had to live his life over again, he could serve God, his neighbor and himself better than he had done, and have seven precious years of time to spare, though he was not an old man yet, and had certainly not been one of the idlest.[2] A few specimens of his maxims will suffice to show the character of the whole collection.—"We are in pain to make our children scholars—not men; to talk rather than to know. This is true canting."—"They only have a right to censure who have a heart to help: the rest is cruelty, not justice."—"Love labor: if thou dost not want it for food, thou wilt for physic."—"Choose thy clothes with thine own eyes—not with another's; neither unshapely nor fantastical; and for use and decency, not for pride."—"There can be no friendship where there is no freedom.—"It can be no honor to maintain what it was dishonorable to do."—"If thou thinkest twice before thou speakest, thou wilt speak twice the better for it."—"Passion is a fever of the mind: it ever leaves us weaker than it found us."—"To delay justice, is injustice."—"The truest end of life is, to find the life that never ends."—"To do evil that good may come of it, is bungling in politics as well as in morals." Many of his maxims were of a political nature: the following suggests the fundamental idea of a modern ministry. "Ministers of State should undertake their posts at their peril; if princes wish to over-ride them, let them show the laws—and resign: if fear, gain, or flattery prevail, let them answer for it to the law." These doctrines were regarded as curious novelties in that age![3]

His other work was still more original in its form and character. It was entitled, "An Essay towards the present and future Peace of Europe,"[4]—and in it he developed views which are now rapidly spreading among educated men, and out of which the Peace Congresses of Brussels, Frankfort and

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[1] Some fruits of Solitude. Coll. Works, i. 818. [2] Ibid. 819.

[3] Collected Works, i. 836.

[4] This admirable tract is not included in the folio edition of his works. It was twice printed in 1693.

Paris have grown in our own day. In the first place, he inquired into the polity of nations,—the causes which led to war,—the conditions necessary to peace. He found the great aim of statesmanship was to secure peace and order; and he demonstrated that these ends were to be obtained more readily and certainly by justice than by war. But the question occurred—How can justice be obtained for nations except by force? He reviewed the history of society, and he found that in the partially organized body-politic of early times individuals stood in the place of states; every man assumed the right to be a judge in his own cause—every man claimed to be his own avenger. As society advanced from a ruder to a more civilized form, the separate individuals made laws and bound themselves to submit to certain general restrictions, more especially to give up the old rights of judging and avenging their own quarrels, in exchange for other rights and privileges not incompatible with the public good. Why, then, should not Europeans do for themselves, that which Celts and Teutons, Franks and Scandinavians had already done on a smaller scale? As England had its parliament, France its States-General, Germany its Diet—each in its sphere over-ruling private passion and curbing disorder—so he proposed that Europe should have its Congress. Before this sovereign assembly he would have had all disputes between nation and nation decided, without the vulgar interference of the sword, by the wisest and justest men, acting as the representatives of every state: its decisions to be final, and its judgments enforced by the united power of Europe.[1] After laying out the great features of his scheme, he considered the details and practical action of such a Congress. He referred to the designs of Henri Quatre in favor of a general league; and proved by the example of the United Provinces that the idea was far from being visionary, if princes and statesmen would only take the question up in earnestness of spirit.[2] The proposal attracted much attention at the time,—and it is now interesting to the friends of peace and international arbitration, both as a piece of history and as a comfort to those who refuse to entertain any opinion which is only of recent origin.[3]

These works were already finished when Guli's death put an end for a time to his intellectual labors. He was only

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[1] Peace of Europe, Sec. iv. [2] Ibid. Sec. xi. [3] Besse, i. 141.

roused from his long torpor of soul by the intelligence from America that Colonel Fletcher had proposed to the King to abolish the separate charter of Pennsylvania, and to form one imperial government out of the whole range of northern colonies. This was to destroy at one blow the great purpose of his existence. The war pressed; the French were victorious on the continent; the governor of New York would not answer for his province without a change; and the King was thought to be only too willing to grasp at any tolerable plea for regaining the military powers which his predecessor had given away so rashly. He believed that if he were only in America, his presence would reconcile parties now at variance; and so put an end to these dangerous complaints and suggestions.[1] But he was too poor to pay for an outfit for his family. Owner of twenty million acres of land, he had no means of raising a few hundreds of pounds for necessary expenses! The Irish estates had ceased for the moment to yield a shilling of rental; and his unfaithful stewards, the Fordes, pretended they could hardly make his English property cover the cost of his simple household.[2] In the depth of his difficulty and distress, a thought occurred to him:—he had spent a princely fortune in his colony; the million or so of acres already sold had a small quit-rent reserved,—but which, for the ease of the colonists, he had allowed to stand over till good harvests came round, so that for ten years he had not received a single shilling from this quarter.[3] He would now, he thought, apply to these prosperous settlers in the land he had made for them,—recently blessed with most abundant seasons,—for a loan of ten thousand pounds—a hundred pounds each from a hundred persons. This money would set him right; and the quit-rents and the lands of the colony would be ample security to the lenders. He wrote a manly and touching letter to Robert Turner, in which he opened his heart to his old friend, and made this proposal, pledging himself, in the event of its success, to set sail immediately with a large party of emigrants, who were only waiting for the signal of his departure: if the colonists refused him this kindness, he said, he knew not what he must do, so very low were his affairs reduced.[4] It is an eternal disgrace

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[1] Penn to Turner, Feb. 4, 1693.
[2] Penn's Statement. MS.
[3] Penn to Roberts, Feb. 17, 1698.
[4] Penn to Turner, Feb. 4, 1693.

to the settlers that they evaded and postponed this request—too mean to comply with grace, too cowardly to refuse without shuffling and false pretence. The men to whom he had looked for help—to whom in confidence he had laid bare his private misfortunes—sought in the fact of his distress an opportunity to encroach on his just rights, and gossipped about his fall, to their own shame and the scandal of the country.[1] They said they loved him very much—but they had no mind to lend money.

Penn was not apt to be angry, but this ingratitude was too much for even his placid nature. These men owed almost every thing that was most dear to them in the world, to his devotion, his care and forethought: their freedom—their rights—in no slight degree their property itself. To his confidential friends he complained bitterly of this insulting usage. A man not inspired with a great design, disgusted with their conduct, might have been tempted to revoke their charter, and to sue them in the courts of law for the arrears of quit-rent. But he thought only of the future,—of the handful of settlers who were to become a nation; and he pursued his own forward course, hurt but not daunted by the ungracious incident. Unable to get out to America, he resolved to fight the battle to the end at home. Calling on the friends who had recently done him such service, he prevailed on them to take his case once more in hand, and, if possible, to procure the restoration of his colonial government, with the rank and dignities attached. In the meantime he drew up a formal petition to the Queen — William being abroad — praying her majesty to order an inquiry into the whole train of facts alleged by him to have occurred in reference to the colony, and if her majesty was satisfied, to grant him a full re-instatement of his rights and properties.[2]

Mary received this petition with favor. The wise and virtuous Lady Ranelagh had prepared the royal mind—by a just representation of Penn's merits and services—the purity of his conduct and the unquestionable nature of his rights—for a candid hearing of his complaint.[3] She referred the petition to the council, who consulted the Board of Trade and the law

[1] Fletcher's Correspondence with Government. Pennsylvania Papers, vol. i. State Paper Office.

[2] Pennsylvania Papers, July 5, 1694. State Paper Office.

[3] Penn's Memorandum. Penn Hist. Soc. Mem. iv. 195.

officers of the crown, and finding no legal flaw in the charter itself, nor any subsequent act of his which could be tortured into such an offence as would warrant a forfeiture,—they admitted his claim to be made out;[1] and he was legally re-invested with his old powers and functions on giving assurances on those points which had led to the original suspension.[2] The Lords of Trade and Plantation asserted,—as they were bound to do in dealing as statesmen with a case so peculiar and exceptional,—that although the soil and the government belonged to Penn, as lord proprietor under the great seal, the King's government, still retaining its imperial right, was laid under the necessity of defending the province from its enemies, as part and parcel of the common empire; but that so soon as the war was finished in Europe, and the fear of invasion from Canada had subsided, the government must, of course, devolve upon the owner of the soil.[3] The war, however, was raging more fiercely than ever; Marshal Luxembourg had defeated King William in two great battles, and had taken the important fortresses of Namur and Mons. In America, the Five Nations, so long in amity with the English, had been won over to the Canadian interest,—numerous farms had been sacked and burnt in Albany, and the settlers massacred or carried off by the enemy,—and it was generally feared that the friendly and peaceable Lenni Lenapé would be compelled to join the great confederacy of their brethren. In this event, the forests of Pennsylvania would afford no protection to the unarmed towns and villages scattered over the country; and devoted as he was to the doctrines of peace, Penn saw the folly of maintaining a passive attitude under the tomahawks of the Iroquois. He promised the council, therefore, that as early as it was convenient he would repair to the colony in person; and in the meantime undertook to supply money and men for the general defence of the frontiers.[4] His own cousin Markham was a soldier; there were plenty of men in the province who had no scruple against bearing arms; and he had little fear of raising the contingent that might be fixed by the crown as the proper quota

[1] Privy Council Registers, W. R. iii. 444, 5; 453, 4.

[2] Pennsylvania Papers, July 5. The reports may be compared, July 12, August 9.

[3] Ibid. August 1-3.

[4] Privy Council Registers, W. R. iii. 455. Privy Council Office.

of Pennsylvania. But in case he should meet with a successful opposition on this point from the Assembly, he stipulated that he would then surrender the direction of military affairs entirely into the King's hands.[1]

On the ninth of August (1694)—thirty months after the appointment of Colonel Fletcher—an Order in Council was made, restoring to him his government, revoking the military commission, and appointing eighty men and their complete equipment and charges as the contingent of Pennsylvania, to be maintained on the frontiers or at New York, so long as the war continued.[2]

This restoration was a great solace to him in his grievous domestic affliction. Not only was Guli dead: dead through grief and sickness of the heart; but Springett, his eldest and favorite son, a youth of delicate frame, but endowed with rare genius and nobility of mind, was seized with slow and careless consumption. In his poverty and exile, the world had frowned on him, believing his fortunes to be irretrievable; and if the settlers in his own colony had behaved most scurvily, they could plead in their defence the almost universal example of mankind. To use his own pathetic words—his enemies had darkened the very air against him. His re-installation was an emphatic answer to every calumny. It is curious to find that the men who stood by him in his darkest hours of trial were, with some staunch exceptions, not the persons who shared his religious opinions — but the more distinguished order of courtiers, statesmen, divines and philosophers—men like Rochester and Ranelagh, Trenchard and Popple, Tillotson and Locke. Many of his own sect for a time looked coldly on his sufferings; and it does not appear that their indifference was entirely removed until he was fully restored to his worldly rank. They had no complaint to make against his morals or his life:—they only pretended to condemn the too active part he had taken in the affairs of the world.[3]

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[1] Pennsylvania Papers, August 3. State Paper Office.

[2] Ibid. August 9.—Privy Council Registers, W. R. ii. 454, 5. Privy Council Office.

[3] Thomas Lowe to Margaret Fox. MS.

CHAPTER XI.

1694–1701.

THE LAND OF PROMISE.

When Algernon Sidney counselled Penn to leave all power under his Charter of Liberties in the hands of the people,—even power to resist the governor and to alter and annul the Constitution,—he had himself but just returned from a forced exile, and was still suffering daily from the spite and jealousy of the court. In the ardor of the moment he overlooked the fact, that if monarchy be sometimes vindictive, republics are not the less proverbially ungrateful. As a point of abstract political science, Sidney was right: democracy must be developed from within to be true and lasting.[1] But neither of the lawgivers seems to have remembered that, under the form in which they were about to try the great experiment, two incompatible powers would be brought into presence,—probably into conflict. Republican as it appeared, the Charter had a foreign and irreconcileable element in its own author. Towards the settlers in his province Penn stood exactly in the position of a feudal lord:—the soil and the government were his personal property. Though in his first charter he had given up many of his rights, enough remained to create strife and bitterness in men so jealous of power. It was sufficient that he traced his rights to a source alien to their choice, to rouse discontent: The colonists had acquired too much power not to covet more. The difficulty existed in the very nature of things. A democracy is a state in which every thing begins and ends with the people; but in Pennsylvania there was a power,—the first and highest,—completely independent and irresponsible. The ruler had to govern a free people by hereditary and indefeasible right: how wise and noble soever his aims might be, the Assembly never forgot that he was their master; though he stood between them and the iron rule at home, they could not respect, and would barely

[1] Penn to Sidney, Oct. 13, 1681.

tolerate his authority.[1] From the foundation of the colony to the last day of his existence, his life was one great struggle with the intractable spirit of the settlers. His dues were withheld — his orders disobeyed — his rights invaded. An ultra-democratic party arose, which at one time by its imprudence led him into trouble in the colony—at another, joined his English enemies in their efforts to procure a forfeiture of the charter.[2] To force alone would they submit. Fletcher's government was still more galling to them than their proprietor's: yet in his case they passed and paid a war tax. A salary they would not grant: and the crown was compelled to allow its servant to appropriate one-half of the war-revenue for his personal use.[3] These facts carry with them no particular stain on any memory: they only prove that feudalism and democracy, even in their best forms, cannot exist together. There was no single governor, from first to last, who could maintain peace in the colony:—nor did the constitution of Pennsylvania ever attain to a state of free and harmonious action until the feudal element was entirely cast away at the Revolution.

With Springett in a decline, Penn was unwilling to go in person to Philadelphia and leave him behind; he therefore sent out a commission to Markham to act as his deputy, with the express sanction of the home government.[4] Not until six years after the restitution of his rights, did he again set foot in Pennsylvania. Two of these years he acted as a nurse to his darling boy; his almost constant companion by day and night. Everything that tender nurture, parental watchfulness and medical science could do for him was done; but in spite of all, he grew worse and worse:—and finally died in his father's arms on the 2d of April, 1696, in the twenty-first year of his age.[5] His other children still living,—Mary and Hannah having died in infancy,—were Letitia and William; the latter, now his heir, and, as it seemed, the future lord proprietor of Pennsylvania, was utterly unlike his deceased brother in character and natural abilities.[6] Springett Penn

[1] Logan Corresp. Phil. Friend, xviii. 345 et seq.

[2] Quarry Corresp. in Proprietary Papers, Sept. 10, 1697 et seq. State Paper Office.

[3] Privy Council Register, W. R. 457. Privy Council Office.

[4] Proprietary Papers, Nov. 24.—Pennsylvania Papers, Dec. 14. State Paper Office.

[5] Friends' Register.

[6] Genealogy in Penn Gaskell MSS.

had inherited the virtues as well as the names of his joint ancestry; to his father's strong sense of political liberty, his fervor and devotion to a great cause, he added the grace and gentleness of his mother and grandmother. Of all the young people about her in her old age, he had been the favorite of Lady Springett; and it was for his use and instruction that she had committed the memoirs of her early life to writing.[1] The younger brother more resembled his grandfather the admiral: he was bold and self-willed as a boy; quick in quarrel; full of pride and worldly ambition; sensuous in his tastes and scornful in his demeanor. Yet he had fine qualities:—he was generous even to a fault,—had a keen sense of honor,—had a turn and a capacity for business,—and that dauntless courage which seemed to be the birthright of his race.[2] From an early period he had shown his distaste to the simple routine of his father's house: and he sought in the world the illicit pleasures which were denied to him at home. It was with the most anxious foreboding that Penn looked forward to the day when he must, in the course of nature, give up the government of his colony to this rash and inconstant youth.

Perhaps his anxieties on this head influenced him to a second marriage. Hannah, daughter of Thomas Callowhill of Bristol, a lady whom he had long known and respected, was the object of his second choice; and they were married in that city in January 1696.[3] She was a woman of extraordinary spirit, and made an admirable manager and wife. They had issue four sons—Dennis, Richard, Thomas, and John—and two daughters—Margaret and Hannah, the latter of whom died in infancy. It is from the Thomas Penn here mentioned that the present representatives of the male branch of the family are descended.[4]

With the peace of Ryswich the war ceased in America. As there was now no pressing necessity for his voyage to Pennsylvania, Colonel Markham discharging his function of lieutenant-governor with vigor, wisdom, and success,—Penn continued to live quietly in England, varying the ordinary routine of life by a series of religious tours, and by writing various works of controversy.[5] His daughter Letty was now

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[1] MS. Autobiography of Lady Springett.

[2] Logan Corresp. Phil. Friend, xviii. 354-363.

[3] Roger Haydock, 215.

[4] Penn Gaskill MSS.

[5] The most notable of these were:—1. "A Brief Account of the Rise and

growing up to womanhood, and she, as well as his wife, had a disinclination to remove permanently, as he had always intended, to their forest-home on the Delaware. The advices which came with every post from the seat of government were not of a nature to overcome these female objections. Colonel Quarry, a revenue officer, sent to America by the crown, and a zealous party to the idea of turning the proprietarial into imperial colonies, found out and courted every person of influence in the colony who fancied he had a grievance; and of the information procured from these sources he made the most adroit and malicious use in his correspondence with the home ministry.[1] He kept up intimate relations with the leaders of the opposition, and by his office and his experience gave cohesion and importance to the floating masses of discontent. Their attacks were in reality meant for and made on the governor and his rights; but they did not dare to accuse him directly. His lieutenant was fairer game; and against Markham they revived old charges, and invented new, until the Lords Commissioners of Trade and Plantations were as heartily tired of their complaints as Penn himself was of answering them. Quarry's chief reliance lay in his official reports, in which he boldly charged Markham with favoring smugglers and pirates, to the manifest injury of the royal revenue. The lieutenant-governor defended himself against these charges with spirit and success; at least his explanations were for a long time admitted. This war of accusations continued two years.[2]

During this interval, Penn became acquainted with the young Czar, Peter of Russia, then working in the dockyard at Deptford as a carpenter and ship-builder. With that passion for converting the great which had led their brethren to Rome, to Adrianople, and to Versailles, in search of royal proselytes, Thomas Story and another friend, hearing that the ruler of Muscovy could be easily approached, went to him

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Progress of the People called Quakers," 1694; 2. "A Visitation to the Jews," 1694; 3. "A Few Words to the House of Commons," 1695; 4. "The Truth of God Cleared," 1698; 5. "Primitive Christianity Revived," 1696.

[1] Proprietary Papers, Sept. 10, et seq. The Quarry Corresp. is of considerable interest for the early history of the colonies: American writers have little acquaintance with the treasures of our State Paper Office.

[2] Proprietary Papers, Sept. 10, 1697—Sept. 12, 1699. State Paper Office. The latter part is particularly voluminous and violent.

for the purpose of delivering what they believed to be the new gopsel. They found to their surprise that the Czar could speak no Latin; and as they were ignorant of German, it was impossible to converse without the aid of an interpreter. Peter was interested though not much edified by their discourse; but the Friends were greatly charmed with their reception, and immediately reported to Penn, who spoke German with great fluency, that a new field was opening in the imperial mind for the spread of truth. On this hint Penn went down to York Buildings, where the Czar resided when not at the docks, with Prince Menzikoff, and there saw the object of his visit.[1] As a man who had lived in courts and seen the world,—as the son also of the renowned admiral,—Penn got on much better with the young and sagacious prince than the simple-hearted Story. With the practical turn of mind which distinguished him through life, Peter had at once gone, to what appeared to him, the heart of the matter. You say you are a new people,—will you fight better than the rest? Story had told him they could not bear arms against their neighbor. Then tell me, said Peter, of what use you would be to any kingdom, if you will not fight? The fact of their wearing their hats in his presence rather amused than offended him; but he could not be made to comprehend the reason for it. Eager for knowledge of every kind, he listened with courtesy and interest to the discourses of Penn; he wished, he said, to learn in a few words what the Quakers taught and practised, that he might be able to distinguish them readily from other men; whereupon his visitor wrote—"They teach that men must be holy, or they cannot be happy—that they should be few in words, peaceable in life, suffer wrongs, love enemies, deny themselves—without which faith is false, worship formality, and religion hypocrisy."[2] Peter was not converted, but he was interested; as he knew a little English he began to attend occasionally at the meetings of Friends at Deptford, where he behaved very politely and socially, standing up or sitting down as it suited the convenience and comfort of others. Some of the Quaker preachers evidently regarded their imperial listener as a convert to the faith: they were probably not aware that, as an acute ob-

[1] Penn to the Czar, Phil. Friend, vii. 45.
[2] Ibid. vii. 45.

server of human manners, it was his humor to attend the religious services of all sects and denominations.[1]

The complaints which were continually arriving from Colonel Quarry, and the rising discontents in the colony fomented by his malice, kept Penn in a state of unceasing agitation and alarm. One charge against his cousin and lieutenant was not cleared away before another was started; so that his enemies in the royal council had almost daily opportunities of poisoning the King's mind on that sorest of all subjects—the revenue.[2] The governor felt an unlimited confidence in the faith and purity of Markham, a confidence which is fully justified by the facts of his administration as they are recorded in the state papers;[3] but at the same time he saw that a necessity was arising for his own presence in Philadelphia, and he prudently began to make preparations for the voyage. His English lawyer had got his estates into the utmost confusion, —in all probability with a view to making his own fortune out of the general wreck, as in later years his employer had not paid that attention to his private business which the admiral had believed would turn out to be a chief feature in his character;[4] and the Shangarry Castle property had not yet recovered from the infliction of the wars. Nearly thirty years had now passed since he had held any communication with his Irish tenantry; a desire to look on the old scenes in which a great portion of his youth had been spent, grew up in his mind, as well as a wish to superintend the re-settlement of his property—Shangarry Castle being now his chief support; and hearing that Thomas Story and John Everott were going into the island on a religious tour, he proposed to join them, and they set out together from Bristol, where he was then residing, that being the usual port from which passengers at that time started for Dublin.[5] In the Irish capital he attended the half-yearly meeting of Friends; and called on the Lords Justices of Ireland, to whom he was well known, to encourage in their minds a friendly disposition towards his

[1] Story's Journal, 126, 494.

[2] Proprietary Papers, September 22—Oct. 8-15 et seq. State Paper Office.

[3] His answer to the accusations of Col. Quarry and Mr. Randolph, presented to the Lords of Trade and Plantations, is masterly and convincing.—America and West Indies Papers, March 1, 1700 (45 folios). State Paper Office.

[4] Penn's Statement, MS.

[5] Besse, i. 144.

religious brethren. An incident occurred on his journey from Dublin to Shangarry Castle, in County Cork, characteristic of the man and the times. When at Wexford he gave a promise to some friends of Waterford that he would attend a meeting in their town on a certain evening, and address the people; and on the day appointed he arrived at Ross, on his way to Waterford, about the time of dinner. Ordering their horses to be ferried across the Nore while they were dining, the travellers returned to the tavern, and refreshed themselves after their long ride.[1]

After the thorough subjugation of Ireland by William and his generals, the Parliament of that divided country, anxious to insult and exasperate the conquered Catholics, had passed a bill, by which Papists were forbidden to keep any horse or horses in their possession, except the very sorriest sort of hacks. To make the act still more galling, a clause was inserted, allowing any man to seize a horse belonging to a Catholic, or on which a Catholic at the time might be riding, and to retain it on condition of tendering five guineas for it to the nearest magistrate. The poor Papist was interrupted in his journeys and his business—for all travelling was then done on horseback—insulted in the streets by having the value of his nag questioned, and oftentimes by being made to dismount in public, and go before a magistrate. Military men more especially took advantage of this infamous law, to fill their stables with good horses at a small cost. As Penn and his friends rode into the town on their high bloods, two young officers of Colonel Eclin's regiment—Lieutenant Wallis and Cornet Montgomery—thought proper to imagine that the strangers were Papists, and their horses lawful game; so, while the unsuspecting travellers were dining, these fellows went to the mayor, and on deposing that there were then in Ross certain Papists with valuable horses in their possession, contrary to the clauses of the late act, obtained a warrant for their arrest.[2] When Penn went down to the boat, he found some of the horses had been carried over before the seizure; but the rest were in the hands of a picquet of dragoons. Supposing that a few words of explanation would set the matter right, he proposed to cross over and continue his journey to Waterford with the horses already on the other side,—return-

[1] Story's Journal, 132. [2] Ibid.

ing after the meeting to recover his property. But on the boat being drawn along the water-edge, half a dozen dragoons leapt into it, and pushed away. Some officers and other persons were standing on the quay, watching this unmannerly exhibition; and to them Penn applied—not being aware of the part they had taken in the transaction—to reprove the men under their command; but they of course would not interfere. "What!" said Penn, with scorn, "are you gentlemen and officers, and will you stand here and see such insolence in your open view?" He hired another boat, and continued his journey, leaving his friends behind to recover the horses by taking out a replevin; and as soon as he had time, he wrote to the Lords Justices, to complain of the abuse,—and the guilty officers were put under arrest. Their spirit was as mean as their behavior. Fearing, on good grounds, that they would be broke at trial, they made a pitiful appeal to Penn, through his friend, Colonel Pursel, governor of Waterford; and he, seeing that their requests were made under a proper sense of the wrong they had done, wrote again to the Lord Justices, to solicit pardons for them on account of their want of age and experience.[1]

While residing at Shangarry Castle—which he had recovered from the list of Outlawed Estates—he saw and conversed frequently with the amiable and learned Bishop of Cork on religious and theological subjects, which afterwards led to a little friendly controversy in print. Some of the more violent sectaries, indulging in the old habit of abuse, continued to repeat calumnies and make false representations as to what the Quakers believed; and to meet and dissipate these reports, Penn put forth, with his name, two or three short papers,[2] copies of which he communicated to the Bishop, who received them very graciously at the time, but, on further thought, saw reason to doubt some of the gospel truths set forth in them and published his own opinions. The writer of course again defended his former tracts, and there the matter ended very amicably: he was a trenchant opponent to the rude, but with the courteous he could be courtliness itself.[3]

The outcry against Colonel Markham and the magistrates of Pennsylvania swelled louder and louder. Markham was a

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[1] Story's Journal, 132.

[2] "The Quaker a Christian," "Gospel Truths," and the eighth and ninth chapters of his "Primitive Christianity Revived." Besse, i. 144.

[3] Besse, i. 145.

prompt and a proud officer: in his hands the dignity of the government certainly suffered no diminution. But did he encourage contraband traders? Stript of all their malice, the State Papers still contain evidence which would satisfy most juries that he did; and it is certain that he behaved harshly and imprudently to those whom he believed to be engaged in a malicious conspiracy against his own honor and his employer's interest. He refused to pass the Jamaica Act against pirates or smugglers, although he had received it directly from Whitehall, with a request from the Board of Trade that it should be made law.[1] Randolph, one of the commissioners appointed for the crown, he cast into prison for insolence and outrage;[2] and, finally, he allowed David Loyd, the attorney-general for the colony, to use some expressions in open court, which were considered as an insult to the King's person and government.[3] Quarry made the utmost of these imprudent acts. Penn's agents, he said, entered the King's store-houses by force, and carried away the goods which had been lawfully seized from the pirates; they protected the smugglers who came into the Delaware with merchandise from New York and elsewhere; they endeavored to ruin the admiralty officers; and even threatened their lives. A pirate vessel, he said, had appeared in the river, but Colonel Markham would not lend assistance to capture it; and such of the pirates as were taken prisoners were merely confined in a tavern, the Quakers not being willing to send them to the gaol.[5] To put an end to these disorders, the council made an order, depriving Colonel Markham of the powers which he had wielded for five years very much to his relative's satisfaction, and with no greater violence to the King's interests than every public officer in America held himself free to commit.[5]

Intelligence which he had previously obtained—his friend Popple became secretary to the Lords of Trade—had prepared Penn to expect this measure; and he had prudently signified to the council his own intention of starting for Philadelphia in a few weeks. On the same day, therefore, in which Markham was deposed, another Order in Council was made, approving of certain suggestions from the Board of

[1] Plant. Gen. Papers, August 25, 1698. State Paper Office.
[2] Proprietary Papers, August 8, 9. State Paper Office.
[3] Ibid. December 1—March 1, 1699. State Paper Office. [4] Ibid. June 6.
[5] Proprietary Papers, August 31. State Paper Office.

Trade, and recommending them to Penn's attention.[1] Hoping to remain in America for some years, if not for the remainder of his life, he prepared to take his wife and family—with the exception of his son William, who would not hear of going—and all the domestic and personal conveniences desirable in a new country and a permanent home.[2]

Embarking at Cowes, in the Isle of Wight, they sailed on the 9th of September, to encounter the tedium of a three months' voyage. About the time they left England, the yellow fever broke out in Philadelphia, and carried off great numbers of the people; but, when they arrived, its virulence had considerably abated, and no evil arose to the family from the prevalence of this dreadful contagion.[3] Being Sunday morning when the vessel reached Philadelphia, Penn went first of all to visit his cousin—a proper attention under the circumstances in which he was involved by the jealousy of his enemies—and then repaired to the meeting-house to see and address the inhabitants.[4] His reception was most enthusiastic. The people in general had long mourned over his absence, says Thomas Loyd, one of the ex-deputies; and now believing that he would never leave them again to become the dupes of faction and the prey of designing men, they were filled with joy and thanksgiving..[5]

Special instructions were sent out by the council for his guidance in what related to the vexed questions of piracy and the imperial revenue; and his first public act on assuming the reins of government was to send forth a severe proclamation against pirates and contraband traders.[6] But not content with proclaiming, he informed his officers and council that, as they were anxious to preserve his rights and their own honor, they must use every endeavor to put down this illegal traffic. He placed himself in friendly communication with Colonel Quarry

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[1] Proprietary Papers, August 31 and September 12. State Paper Office.

[2] Besse, i. 145.

[3] Story was in Philadelphia at the time, and has left a vivid description of its effects in his Journal. "Great was the fear that fell upon all flesh. I saw no lofty nor airy countenance, nor heard any vain jesting to move men to laughter, nor witty repartee to raise mirth, nor extravagant feasting to excite the lusts and desires of the flesh; but every face gathered paleness, and many hearts were humbled, and countenances fallen, as of those who waited every moment to be summoned to the grave."

[4] Hazard's Register, 4. 92.

[5] Watson's Annals, 24.

[6] America and West Indies Papers, Dec. 23, 1699. State Paper Office.

—who had received from the Admiralty an order to pay great respect to the person of the governor[1]—and discussed with him the wisest course of proceeding, with a view to re-establish harmony and activity between the two services. The revenue agent was molified by this courtesy and entered readily into the governor's plans. No more complaints were sent to London; and in less than three months from the landing in the Delaware, Quary had become a firm friend to the colony. The change was marvellous. In his letters to the Lords of Trade and Plantations, he reported that Penn's arrival had completely changed the state of affairs, that offending officers had been displaced, that the pirates were being pursued with vigor, and that two acts had been passed which would meet the evils complained of for the future.[2]

Anxious to put an end to the dispute as early as possible, Penn called the members of his council and the general assembly together some weeks before the usual time of meeting. As yet there was no law in Pennsylvania against piracy; and when the Quakers had formerly refused to commit pirates to the common gaol, they could quote their code of laws in justification of their refusal. This evil was the first to be met. The weather was bitterly cold; it was impossible to transact the ordinary business of the session; and as soon as they had passed two enactments, one against pirates and one against contraband trade, which they did on the governor's most energetic remonstrance—but as it would seem somewhat reluctantly,—he dismissed them for the remainder of the winter.[3] Now that he was legally armed against them, the task of putting down the pirates was rendered much more easy of accomplishment. By the end of February, he was able to lay before Secretary Vernon and the Board of Trade a statement of his doings in behalf of the crown interests;[4] and in due time received from Whitehall an assurance that his conduct was highly satisfactory to the government.[5]

These critical affairs got into a train for amendment, Penn had leisure to settle his family at Pennsbury, his country mansion, near the Falls of Trenton on the Delaware. As this was the chief place of his residence while in the colony,

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[1] Plant. Gen. Papers, Sept. 12, State Paper Office.
[2] Proprietary Papers, March 6, 1700. State Paper Office.
[3] America and West Indies Pape s, Feb. 26, 1700. State Paper Office.
[4] Proprietary Papers, Feb. 27. State Paper Office. [5] Ibid. Aug. 23.

and had always been designed as his ultimate home, some account of the estate and of his daily ways of life as they can now be recovered from old letters, anecdotes, and traditions, will not be uninteresting to the reader of his memoirs.

The estate of Pennsbury was an ancient Indian royalty. It had been chosen as the abode of chieftains for the peculiar character of its situation: affluents from the great river bending no less than three several times round it, so as, in the ruder ages of warfare, to constitute an almost impregnable natural defence. When the estate was first laid out by Markham, it consisted of 8431 acres; but a large portion of the ground was left in its forest state as a park for the governor, and he from time to time reduced its dimensions by a series of grants to different individuals.[1] In this noble island his agents had begun to build, even before his first arrival in the country, a mansion worthy of the governor of a great province; and during his absence in England it had been completed. The front of the house, sixty feet long, faced the Delaware, and the upper windows commanded a magnificent view of the river and of the opposite shores of New Jersey. The depth of the manor house was forty feet, and on each of the wings the various outhouses were so disposed as to produce an agreeable and picturesque effect.[2] The brew-house, a large wooden building covered with shingles,—Penn was not unused to the good old Saxon drink,—was at the back, some little distance from the mansion, and concealed among the trees.[3] The house itself stood on a gentle eminence; it was two stories high, and was built of fine brick and covered with tiles.[4] The entrance led by a large and handsome porch and stone steps into a spacious hall, extending nearly the whole length of the house, which was used on public occasions for the entertainment of distinguished guests and the reception of the Indian tribes. The rooms were arranged in suites, with ample folding doors, and were all wainscoted with English oak.[5] A simple but correct taste was observable throughout; the interior ornaments were chaste, and the oaken capital at the porch was appropriately decorated with the carving of a vine and clusters of grapes. The more elaborate of these decorations had been sent from England by the governor.[6] The gardens were the

[1] Sherman Day's Historical Collections, 153.
[2] Ibid. 154.
[3] Watson, 67.
[4] Penn. Hist. Soc. Mem. i. 112; and ditto iii. Pt. ii. 94.
[5] Ibid.
[6] Watson, 16, and note.

wonder of the colony for their extent and beauty. A country house, with an ample garden, was the governor's passion; and he spared neither care nor money to make the grounds of Pennsbury a little Eden. He procured in England and from Scotland the most skillful gardeners he could find. In one of his letters he speaks of his good fortune in having met with "a rare artist" in this line, who is to have three men under him; and if he cannot agree with Ralph, the old gardener, they are to divide the grounds between them, Ralph taking the upper gardens and the court-yards, the rare artist having charge of all the lower grounds; and he gives ample instructions as to every detail of their proceedings.[1] Lawns, shrubberies and flower-beds surrounded the manor on every side. A broad walk, lined with majestic poplars, led to the river brink, a flight of stone steps forming the descent from the higher terrace to the lower. The woods in the vicinity were laid out with walks and drives; the old forest trees were carefully preserved; the most beautiful wild flowers found in the country were transplanted to his gardens; trees and shrubs not indigenous to the soil were imported from Maryland; while walnuts, hawthorns, hazels, and various kinds of fruit-trees, seeds, and roots, were sent for to England.[2]

The furnishing of Pennsbury was to match. Mahogany was a luxury then unknown; but his spider tables and high-backed carved chairs were of the finest oak. An inventory of the furniture is still extant;[3] there were a set of Turkey worked chairs, arm-chairs for ease, and couches with plush and satin cushions for luxury and beauty. In the parlor stood the great leather chair of the proprietor; in every room were found cushions and curtains of satin, camlet, damask, and striped linen; and there is a carpet mentioned as being in one apartment, though at that period such an article was hardly ever seen except in the palaces of Kings.[4] His side-board furniture was also that of a gentleman; it included a service of silver,—plain but massive,—blue and white china, a complete set of Tonbridge ware, and a great quantity of damask table-clothes and fine napkins.[5] The table was served as became his rank, plainly but plentifully. Ann Nichols was

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[1] Penn. Hist. Soc. Mem. iii. Part ii. 94. An admirable paper on the domestic life of Penn, gathered from his cash books and business letters by Francis Fisher.

[2] Ibid. 95. [3] Ibid. 85. [4] Ibid. 86. [5] Ibid. 85.

his cook; and he used to observe in his pleasantry—"Ah, the book of cookery has outgrown the Bible, and I fear is read oftener—to be sure it is of more use."—But he was no favorer of excess, because, as he said, "it destroys hospitality and wrongs the poor." The French cuisine, then in great vogue, was a subject of his frequent ridicule.—"The sauce is now prepared before the meat," says he, in his maxims, "twelve penny worth of flesh with five shillings of cookery may happen to make a fashionable dish. Plain beef and mutton is become dull food; but by the time its natural relish is lost in the crowd of cook's ingredients, and the meat sufficiently disguised from the eaters, it passes under a French name for a rare dish." His cellars were well stocked; Canary, claret, sack, and Madeira being the favorite wines consumed by his family and their guests.[1] Besides these nobler drinks there was a plentiful supply, on all occasions of Indian or general festivity, of ale and cider. Penn's own wine seems to have been Madeira;[2] and he certainly had no dislike to the temperate pleasures of the table. In one of his letters to his steward, Sotcher, he writes—"Pray send us some two or three smoked haunches of venison and pork—get them from the Swedes; also some smoked shads and beefs," adding with delicious unction,—"the old priest at Philadelphia had rare shads."[3]

For travelling, the family had a large coach, but in consequence of the badness of the roads, even those between Pennsbury and Philadelphia, it was seldom used,—a calesh in which they chiefly drove about,—and a sedan chair in which Hannah and Letty went a shopping in the city, or to pay visits of ceremony to their female acquaintance in the near neighborhood. The governor himself went about the country on horseback, and from one settlement to another in his yacht. He retained the passion for boating, which he had acquired at Oxford,[4] to the last; and that love of fine horses which the Englishman shares with the Arab did not forsake him in the New World. At his first visit to America he carried over three blood mares, a fine white horse not of full breed, and other inferior animals, not for breeding but for

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[1] Penn. Hist. Soc. Mem. iii. Part ii. 84. Hannah Penn to Logan. Phil. Friend, xviii. 353.

[2] Penn to Logan, Sept. 14, 1705.

[3] Penn. Hist. Soc. Mem. iii. Pt. ii. 84.

[4] Wood's Oxon. art. *Penn.*

labor. His inquiries about the mares were as frequent and minute as those about the gardens; and when he went out for the second time, in 1699, he took with him the magnificent colt Tamerlane, by the celebrated Godolphin Barb, to which the best horses in England trace their pedigree.[1] Yet Tamerlane himself could not win his master's affections from his yacht, a fine vessel of six oars, with a regular crew, who received their wages as such—and well deserved them while the governor was in the country. In giving some directions about his house and effects after his return to England, he writes of this yacht—"but above all dead things, I hope nobody uses her on any account, and that she is kept in a dry dock, or at least covered from the weather."[2]

The dress and habits of the Penns at Pennsbury had as little of the sourness and formality which have been ascribed to the early followers of George Fox as the mansion and its furnishings. There was nothing to mark them as different to most well-bred families of high rank in England and America at the present day. Pennsbury was renowned throughout the country for its judicious hospitalities. The ladies dressed like gentle-women,—wore caps and buckles, silk gowns and golden ornaments.[3] Penn had no less than four wigs in America, all purchased in the same year, at a cost of nearly twenty pounds.[4] To innocent dances and country fairs he not only made no objection, but countenanced them by his own and his family's presence.[5] His participation in the sports of the aborigines has been referred to already. Those gentler charities which had distinguished him in England continued to distinguish him in Pennsylvania; he released the poor debtor from prison, —he supported out of his private purse the sick and the destitute,—many of the aged who were beyond labor and without friends were regular pensioners on his bounty to the extent of six shillings a fortnight,—and there were numereus persons about him whom he had rescued from distress in England,

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[1] Penn. Hist. Soc. Mem. iii. Part. ii. 78.

[2] Ibid. 79.

[3] Ibid. 74, note.

[4] This in spite of John Mulliner, a Friend who wrote against perukes. Watson, 178. Penn set the fashion in America; and it became usual for "genteel" Friends to wear wigs and buckles. Ibid.

[5] The cash-books contain such items as these: "By my mistress at the fair 2*l.* 0*s.* 8*d.*; by expenses given to Hannah Carpenter as a fairing, 8*s.*; by do. to two children for comfits, by order, 1*s.* 6*d.*; by the governor going to a cantico, 1*l.* 18*s.* 4*d.*" Penn. Hist. Soc. Mem. iii. Part ii. 80.

and whom he supported wholly or in part until their own industry made them independent of his assistance. Some of the best pages of his history were written in his private cash-books.[1]

In April the Assembly met for the ordinary session. There had been already many changes introduced into the constitution; and it was well known that a large part, perhaps a majority, of the new parliament, would be favorable to a fresh revision. The Holy Experiment was proceeding with more passion and more grasping restlessness on the popular side than its author had expected; but still he would not admit even to himself that he felt discouraged. The representatives assumed the right to bring in bills,—they attempted to re-organize the judicial system,—they refused to vote any taxes,—they claimed a right to inspect the records of government,—they wished to displace the officers of the courts at their own will,—and they expelled a member of the House for simply reminding them that in making such claims as these they were violating the provisions of their charter.[2] Like all new legislators, they betrayed a want of prudence which might have been fatal to their own liberties had any other than a republican enthusiast been their lord proprietor. Penn bore with their petulance and ingratitude from motives higher and further reaching than most of the rude colonists could understand: whatever consequences might result to himself, he was resolved to realize the dream of his youth,—to lay a foundation for that Holy Empire, the thoughts of which had cheered him in his darkest hours. When the Assembly met in Philadelphia, he addressed them in calm, conciliatory, and encouraging terms:—he began by reminding them that though they were only nineteen years old as a colony, they were already equal in numbers and prosperity to their neighbors of twice and thrice that standing; they had a good constitution though it was not perfect; the growth of the province had been so extraordinary that while some of the laws were already obsolete, others were found to be hurtful; these must be looked to cautiously. If they wished to have the charter amended, he said he was willing; he only asked them to lay aside all party feeling, and to do that which was best for all, confident that in the end it would be best for

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[1] Penn, Hist. Soc. Mem. iii. Part ii. 87.
[2] Votes and Proceedings, 32 et seq.

each. So far as regarded himself, he would simply throw out one hint;—for nineteen years he had now maintained the whole charge of government out of his private purse. He placed himself in their hands, and hoped he should never be compelled to leave them again.[1]

With very unceremonious eagerness, the Assembly was urged by one of the ultras to take the governor at his word; and, as they were now about to commence a new career, to start on a good foundation—in other words, with a new constitution. The proprietor said it was not his desire that they should abolish their present charter: yet if they thought it best for their own good, he would consent. They at once voted it desirable to have a new constitution, rather than attempt to mend the old one. No progress, however, was made in the work during that session.[2] The other business was of a more local nature, relating to land, revenue, trade, property, and so forth. One topic only needs any reference in this place. When Penn landed in America, negro slaves were already on the soil. Hawkins had the merit of first engaging England in the African slave-trade; but it is fair to his memory to state that his royal mistress, Elizabeth, not only approved of his barbarous and marauding expeditions, but actually joined him as an adventurer in the traffic.[3] No suspicion that this trade in human beings was infamous and damnable ever seems to have crossed the mind of courtier or soldier. In all the maritime and commercial countries of Europe, slavery was an ancient institution. The cities of Portugal, Italy and Spain were dotted with the dusky forms of negro and Moorish slaves; in every great househould in the south the sable skin was regarded as an essential part of the furniture. The best and most religious men of the sixteenth and seventeenth centuries accepted the existing facts of society without a protest. Columbus introduced the negro into America; Cromwell did not hesitate to sell his own countrymen into bondage; Locke expressly provided a place for slaves in his constitution, and forbade them even to aspire to a free condition. Such was the state of opinion in Europe when Penn's attention was first practically turned to the subject; nearly a century after that period the idea was

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[1] The speech is preserved in Hazard's Register, vii. 111.
[2] Hazard's Register, vii. 111, 112.
[3] Camden, 158. Hackluyt, ii. 351-2; iii. 594.

still general in England that the capture and sale of Africans was a legitimate branch of trade, and with the blood of the black man our merchants in a great measure built up the renown of our most celebrated commercial cities, Bristol and Liverpool. By a special stipulation in the Treaty of Utrecht, our sovereign lady Queen Ann became for a time the largest slave-merchant in the world.[1]

It is no demerit in Penn that he did not at once see the evil, and resolutely oppose a system which Locke approved, and his countrymen generally practised or applauded. Yet from the first he would seem to have had doubts and misgivings. While acting under the counsels of Sidney, he had provided that, if the Society of Traders should receive negroes as servants, they must at least set them partially free after fourteen years' service—that is, make them adscripts of the soil, the Society giving to each man a piece of land, with the necessary implements for its cultivation, and receiving in return two-thirds of the entire produce: if the negroes themselves refused these terms, they were to continue slaves.[2] Many years after this he spoke of slavery as a matter of course;[3] and though he refrained from the actual purchase of negroes, so as in strict fact never to become a slave-owner, yet he constantly hired them from their masters, and they formed a regular part of the establishment at Pennsbury.[4] But his mind was not at rest on their account; and his less sophisticated followers from the Upper Rhine had already started the novel doctrine that it was not Christian-like to buy and keep negroes. Coming from an inland and agricultural country, where the luxury and license of commercial cities were unknown, the fact of good men buying and selling human beings, —owning men with immortal spirits,—men who in a few years, according to their own avowed belief, would become not only their own equals, but the glorious peers of angels, and archangels,—struck them as something monstrous and incredible. They appealed in their concern to the Society of Friends,—but the Friends as a body declined to pronounce an opinion on the subject.[5] Still, having been started, it came up again

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[1] Bolingbroke (Cock's ed.), i. 175. [2] Watson, 480.

[3] Penn to Harrison, Oct. 4, 1685

[4] App. to Fisher, Penn. Hist. Soc. Mem. iii. Part ii. 103. A note will be found on this subject in the following chapter.

[5] Watson, 480.

and again at their meetings. When Penn arrived the second time in America, there were many who doubted the lawfulness of retaining slaves; yet, on looking at the matter calmly, he felt certain that between the two races there existed an intellectual inequality which no act of Assembly could remove, and which must of necessity preclude social equality, until by process of education and lapse of time the Negro had been raised in the scale of being, and the Caucasian reconciled to his presence. With this conviction he began to work:—first he tried to get his own religious body practically to recognize the fact that a black man has a soul, by taking some little care for it; whereupon a separate monthly meeting for negroes was established.[1] Next he looked at their moral condition,—and found them living in the grossest ignorance, and in their homes very much like brutes. As they were liable to be sold and carried away to distant parts of the country, it was not convenient to their owners that they should form deep conjugal attachments; yet, as every born negro was an additional chattel, worth so many pounds in the slave-market, criminal intercourse between the sexes was encouraged, rather than rebuked. Penn was anxious to check this growing evil by a formal law; and as the breach of a law necessarily involved some kind of punishment, he resolved to introduce two bills into the Assembly, which he did with the complete sanction of the colonial council. The first provided for a better regulation of the morals and marriages of negroes, the second provided for the modes of their trial and punishment in cases of offence. After a stormy debate, the Assembly rejected the first of these bills:—they would not have the morals of their slaves improved![2] The governor cherished his design for a more auspicious season.

The session over, Penn returned to Pennsbury. The condition of the original natives of the soil occupied a considerable share of his attention. He justly regarded them as very superior in calibre and character to the African race,—and an impression which had seized upon his mind that they were descended from the long-lost tribes of Israel, tended not only to increase his concern for their interests, but to persuade him that they were capable of being reclaimed to Christianity and civilization.[3] When he made the Great Treaty with them

[1] Watson, 481. [2] Ibid.
[3] Penn's Letter to Free Society of Traders, August 6, 1683.

in 1682,—a treaty which thay had faithfully kept through a long war under many temptations,—he had proposed to himself to call a council of the chiefs and warriors twice a-year, to renew the treaty of friendship, to adjust matters of trade, to hear and rectify wrongs, and to smoke the pipe of peace. While he remained in the colony this intention was strictly carried into effect.[1] His mild measures completely won the noble nature of the Red Men.

The Delaware and Susquehanna tribes had now enjoyed the mild and equitable rule established at the Great Treaty for nearly twenty years, and were anxious to bring other of their tribes within shelter of the same system of law, but more especially their brethren dwelling on the banks of the Potomac.[2] They appealed to the great Onas; and early in April 1701, he met by appointment to arrange these matters—Connoodaghtoh, king of the Susquehanna Indians—Wopatha, king of the Shawanese—Weewhinjough, king of the Ganawese—and Ahookassong, brother to the great Emperor of the Five Nations, and about forty of their chief warriors. At this conference they discussed their several interests, and a treaty of peace and trade was established by mutual consent, on the same terms as had formerly been granted to the Lenni Lenapé. The red man and the white man were to be as one head and as one heart. The Indians were to be protected from the rapacity of the traders; and as they bound themselves not to sell their furs and skins out of Pennsylvania, the governor gave orders that no man should trade with them except the persons who were duly authorized, and therefore known and responsible for any misdeeds. He thought it possible to teach morals by means of commerce, and on these terms the Potomac Indians were allowed to settle in the colony, the Susquehanna and Delaware tribes pledging themselves for their good behavior. A treaty of peace and friendship was also concluded with Ahookassong as the ambassador of his imperial brother, on the part of the Five Nations. This was an important point gained, even in a military sense; for the war still raged on the frontiers, and this judicious measure added another bulwark to Pennsylvania. The governor lost

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[1] Fishbourne's MSS. quoted in Watson, 445.
[2] Proprietary Papers, April 23. State Paper Office.

no time in transmitting the intelligence of his success in these negotiations to the ministry in England.[1]

Three months later, a council of ratification was held at Pennsbury, attended by a great number of Indians, and by all the officers of the colonial government.[2] After the ceremony of reciting and accepting the treaty was over, Penn entertained his guests in the great hall. Later in the day they went out of the house into an open space of the garden to perform their cantico—a picturesque and agreeable medley of singing, dancing, and shouting—each expressive of a sense of joy and victory.[3]

In the intervals of his more pressing labors at home, the governor kept up a series of communications with Lord Ballamont, the King's governor at New York, and with Colonel Blakiston, Colonel Nicholson, and other governors of provinces. Many questions of general importance needed to be arranged; and a conference was held at New York for the purpose of settling the heads of a general regulation for all the colonies, royal and private.[4] Penn seems to have been the leading spirit in this conference of powers. The first point which engaged their attention was a suggestion of his, to reduce the money then current in America to one standard. The irregularity and confusion in regard to the coinage was almost incredible: the same piece of money passed in Maryland for 4*s.* 6*d.*, in Virginia for 5*s.*, in Massachussets for 6*s.*, in New York for 6*s.* 9*d.*, and in Pennsylvania and the Jerseys for 7*s.* 8*d.*[5] A second point was a project for encouraging the timber-trade in the colonies; a third related to the regulation of marriages—a crying abuse—the men going from one colony to another, bigamy was almost as common as wedlock; a fourth concerned the establishment of a general postal system; a fifth urged the necessity for a comprehensive act of naturalization, by which the multitudes of French, Dutch, and Swedes, arriving every year, might at once acquire rights of property, and attain to the privileges, as well as to the responsibilities, of English subjects. A calm and obvious wisdom pervaded these various suggestions, but rare in that age of political passion and narrow views. There were

[1] Prop. Papers, April 23. State Paper Office. His letter contains a copy of the Treaty. [2] Watson, 445, 6. [3] Richardson's Journal.
[4] Proprietary Papers, Dec. 8-13. State Paper Office.
[5] Ibid. vol. vi. G. 8 (no date).

several other points of local and temporary interest discussed; and one of them, strongly urged by Penn, exhibits an instance of his fine political sagacity. In the settlement of boundaries with the French, he indicated, as the basis of agreement, the line of the great lakes,—on the double ground, that those inland waters formed a strong natural defence, and were the chief centres of the Indian trade. His advice was afterwards adopted by the government.[1] Lord Ballamont having agreed to these several suggestions, Penn returned to Philadelphia, embodied them in a report, and transmitted them to London. The Lords of Trade and Plantations received them with much satisfaction, and admitted their wisdom and propriety.[2]

While thus engaged in appeasing the animosities of faction within, and in laying more solidly and extensively the foundations of peace and security without, the governor received intelligence from England, which disconcerted all his plans, and in a few weeks forced upon him the alternative of losing his colony or instantly repairing to London. The war with France, and the alliance of the Canadians with the Iroquois, gave the friends of an imperial colonial system an immense advantage with the Dutch sovereign; and in the absence of most of the great proprietors, they had so far pushed their successes as to have got a bill introduced into the House of Lords for converting the private into crown colonies.[3] This was the startling intelligence which he now received. Of course the attack on his property and private rights was veiled under pretences of public good: but he saw through the disguise, knew the men who were its authors, and felt certain that after what he had already done, he should be able to convince the King of his faithfulness to his great trust. He had not only renewed and extended his friendly treaties with the natives in his own vicinity, but by his urgent letters and counsels had engaged Lord Ballamont to conclude a treaty of peace for all the settlements of the English in North America with the formidable Emperor of the Five Nations;[4] and within his own province he had organized a regular system of signals and watchers, so that the appearance of any suspicious sail in

[1] Proprietary Papers, Dec. 13, and vol. vi. G. 8. State Paper Office.
[2] Ibid. Marginal notes to the report.
[3] Besse, i. 145. Lords' Journals, xvi. 660.
[4] Speech to the Assembly, Sep. 15, 1701.

the waters of the Delaware would be instantly reported to the government at Philadelphia. The question of a war contribution had not yet properly come before the Assembly, peace having been restored in Europe; but now the great drama known in history as the war of the Spanish Succession was opening in all its mournful and calamitous grandeur, and the King had written to Penn to have his contingent, or the money equivalent, ready at the first call,—if the eighty men were not furnished, a sum of 350*l.* was to be raised as a contribution, and sent to NewYork. This demand he had already laid before the Assembly; but that body, as in every other case where money was in question, obstinately determined not to concede a point, talked of their great poverty—doubted whether the other provinces had done their duty—and finally resolved to postpone the further consideration of his majesty's letter, until the war had actually commenced. Affairs were in this posture, when Penn received from Lawton, to whom he had left the care of his interests in London,[1] the account of what was passing in the House of Lords. No time was to be lost. The owners of Pennsylvania property then in England petitioned the House to postpone the further discussion of the Colonies Bill until Penn could return and be heard at the bar in defence of their rights and his own;[2] and the younger William Penn kept a vigilant eye on the proceedings of the crown-party, some of which were far from being to their credit. The House of Lords was deceived as to the state of the colony, as the Board of Trade, obstinately determined to annex the proprietary provinces to the crown, kept back some of the more important papers, and tried to seduce Parliament into a flagrant wrong by unfair representations.[3] Young Penn appeared before a Committee of the House by counsel,—and his pleas tended at least to protract the inquiry.[4] In the colony itself, the feeling against an act of annexation to the crown was almost universal. Having called the popular representatives together, the governor laid the alarming intelligence which he had received before them: they urged him to return at once, and defend their common interests.[5] He said he could not think of such a voyage

[1] Proprietary Papers, Dec. 8-13, 1700. State Paper Office.
[2] Besse, i. 145. [3] Lords' Journals, xvi. 676.
[4] His activity may be traced in Lords' Journals xvi. 660, 2, 4, 6, 676, 684, 8, 697. [5] Hazard's Register, xii. 363.

without great reluctance—(his wife had recently given birth to a son, and was still in a delicate state of health)—as he had promised himself a quiet home amongst them in his old age; and even if he should now go away for a season, no unkindness or disappointment would be able to change his fixed determation to return and settle his family in the country. He advised them to decide quickly as to what ought to be done for the general security in his absence,—what changes were needed in the existing constitution,—and what new laws were required by the new circumstances which had arisen on every side. He recommended the King's letter touching the subsidy to their prompt and serious consideration, that being the key-note of his answer to the misgivings of the court in England.[1]

The members thanked him in general terms for these gracious words, and then appointed committees to draw up various statements and prepare the business of the session.[2] One cannot read the record of their proceedings without a feeling of contempt and indignation. Instead of aiding him to meet the emergencies of the hour with such means as lay within their reach,—instead of voting the subsidy and amending the general laws,—they drew up a list of demands which were equally insulting and unjust. One of these was a request that the price of the unsold land should be permanently fixed at the old rent of a bushel of wheat in a hundred; so that while their own estates were trebled or quintupled in value with cultivation and the increase of inhabitants, his should not share in the natural increase! Another was a request that he would lay out all the unsold bay-marshes, a rich and highly productive soil, as common land! There was much more to the same effect. The ungrateful settlers found him on the eve of a journey to England, for the purpose of entering into a dispute in which he might be worsted, the crown itself being both judge and client, and they sought to wring out of his misfortunes the largest share of personal gain for themselves. His equanimity under such an insult was surprising. His feelings were deeply hurt, but he reasoned calmly and logically. The inconsistency of their demands was pointed out,—concessions, where no principle was involved, were made, —and the Assembly, perhaps ashamed of its own rapacious

[1] Speech to the Assembly, Sept. 15.

[2] Besse, i. 145

conduct, returned to something like a sense of its position and its duties. The new charter of liberties was argued at great length,—and on the 28th of October it was finally settled and accepted in the presence of the Council and Assembly. It contained several minor encroachments on the powers of the governor and his council:—but the chief innovation of a purely political nature was the right which the assembly now acquired to originate bills. They had done this for some time illegally and on sufferance; they were henceforth established in their usurped right by charter.[1]

Then came the question of money. Penn had plenty of land under cultivation,—the fields gave him corn and meat, —the rivers abounded with fish,—and the air yielded stores of birds for his table. To live in America with little or no money was easy enough in his circumstances. But to remove his family across the Atlantic was an expensive affair:—a vessel must be hired, an outfit provided, wages must be paid. Yet the Assembly would do nothing for him in the way of a grant; and he was ultimately obliged to sell, on any terms, as much land as would cover the expenses of his voyage home.[2] To the last moment the Assembly refused to take upon the country the charges of its own government![3]

His preparations for departure were hastily made. The two ladies were in a flutter of delight at the idea of returning to England. After the novelties of the scene were over, they had felt no cordial love for the wilderness; and had more than once urged the governor to take them back.[4] They were perhaps the only persons in Pennsylvania who rejoiced at their departure.

As soon as the news had got abroad that Onas was about to quit the Delaware, the Indians came in from all parts of the country to take leave of him. A foreboding that he would never more return across the great salt lake haunted their untutored minds, and they clung to his assurances of amity and justice with the greater force, under the fear that his children would not be to them what he had been. To comfort them in their distress, he introduced them to his council, and again repeated his desires with respect to their humane and

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[1] A copy of the charter is in Proprietary Papers, Oct. 28, 1701. State Paper Office.

[2] Penn to Logan, Sept. 8.

[3] Phil. Friend, xviii. 345.

[4] Penn to Logan, Sept. 8.

honorable treatment; the members of the council pledged themselves to carry out his wishes just as if he were still living at Pennsbury, to punish the guilty and protect the innocent. With these promises they were obliged to be satisfied, but they took their parting gifts very sorrowfully,—and after the lapse of a century and a half the memory of that day was still fresh in the hearts of their descendants.

The vessel in which the family were to sail being now ready, he appointed James Logan his agent, and Colonel Hamilton, ex-governor of the Jerseys, his deputy, with the full consent of the assembly.[1] The latter personage was to be assisted by a council of ten; and, at the urgent request of the representatives, who fancied that affairs would necessarily proceed more regularly if one of the proprietarial family were in the colony, the governor promised to send over his son William without delay, that he might learn betimes the nature and wants of the country he would in a few years have to govern.[2] Penn saw no more of the Holy Experiment![3]

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[1] Proprietary Papers, Oct. 27. State Paper Office.
[2] Phil. Friend, xviii. 354. [3] Besse, i. 147.

CHAPTER XII.

1702–1717.

THE CLOSING SCENES.

When Penn arrived in England he found the state of parties changed and changing daily. Death was busy in the high places of the earth. Less than three months before his return, his old guardian, the exiled King, had paid the debt of nature. In little more than three months after, his son-in-law was also gathered to the tomb. The game of his ambition had been played out. The native ruler was laid by strangers in a foreign soil: the un-English prince was interred in Westminster Abbey by the side of our ancient kings. William had won;—but it was a joyless victory. He had served the ends of a great party; and that party upheld him then, and applaud his memory now. But he never was the King of Englishmen. He lived unloved,—and he died unmourned.[1]

The Princess Ann, like her sister Mary, had been a firm friend, so far as her nature could be firm, to the governor of Pennsylvania; and as soon as she succeeded to the throne, he became once more a frequent and a welcome guest at court.[2] But even before William's death, he had been somewhat relieved from his anxieties on account of the colony. The protests, the examination of witnesses, the delays caused by the production of papers,—the opposition made by young Penn on his father's behalf, and by the Earl of Bath on his own account,—had caused the session to slip away without the Bill of Annexation arriving at maturity; and the process would, therefore, have to commence anew in the succeeding parliament.[3] His fears were much abated. In the Upper House he knew that he had many powerful friends whom his personal influence would rouse to active exertions in his behalf; and of the favorable disposition of the Commons he had

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[1] Burnet, iv. 539.—Onslow's note, 541, 2. [2] Besse, i. 147.

[3] Lord's Journals, xvi. 736. The further progress of the bill (see note 3, p. 306) may be traced, 700, 15, 17, 22, 26, 36.

a strong assurance in the fact, that as soon as the members of that House met together, his adroit and steadfast friend Harley was chosen speaker.[1] The bill introduced and discussed in the House of Lords the previous session was not again brought forward.[2] Of this bill it is enough to say, that it contemplated a huge national robbery, not proposing to repurchase the colonial governments from their private owners, but to seize them by pretence of law against every admitted principle of justice.[3] The rapacity of the party in favor of crown-colonies was one of the best elements of security for Penn; as he said in one of his reports to the Queen's government, they proposed to take from him the rights for which twenty years ago he had cancelled a debt of sixteen thousand pounds. That debt, at the legal rate of six per cent. compound interest, would have been more than trebled in 1702; if England took away his government, it would be only just to pay him the money. But the annexation clique had not thought of doing this; on the contrary, they pretended that if they left his civil rights untouched, it was sufficient. He replied that the soil was his own by subsequent and legal purchase from the natives; that his bargain with King Charles and the Duke of York was for the government of the country.[4] King William admitted this statement of the case to be correct; and, covetous of power as he was, he declined to adopt the suggestions of his friends, when they advised him to tear in pieces the old charters of the colonies. The Board of Trade, determined, if possible, not to be defeated with their bill in the approaching session, sent to the Earl of Manchester, the King's principal Secretary of State, an unfair and most exaggerated statement of the disorders, abuses, and discontents which, they said, reigned in the proprietaries; of the greater abuses and discontents which prevailed in the royal colonies not a word was said; and on the papers so placed in his hands he was desired to obtain his majesty's opinion.[5] The information on which the Board acted was obtained for them by one Randolph,—the same fellow whom Markham had sent to gaol for his insolence,—and a more paltry basis for a serious

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[1] Penn to Logan, Jan. 24, 1702. [2] Besse, i. 147.

[3] A copy of the bill is in State Paper Office. Proprietary Papers, April 8, 1702.

[4] Proprietaries, vol. vii. L. 38. State Paper Office

[5] Plant. Gen. Papers, vol. xxxvi. p. 36. State Paper Office.

charge has perhaps never been known. This agent had worked for his masters in the lowest sinks of American society; and out of prison reports and ale-house gossip he concocted a list of what he called "high crimes and misdemeanors" against the proprietors of North and South Carolina, Maryland, Delaware, Pennsylvania, East and West New Jersey, the Bahama Islands, Connecticut, Rhode Island, New Hampshire, and Massachusetts.[1] On these hints the Board at home acted; but William set aside such considerations with the contempt they deserved. To the military question he was more alive; but he would not hear of the proprietors being dispossessed of their governments by an act of parliament. Manchester returned an answer to the Lords of Trade, in which he gave the heads of a bill agreeable to the King's ministry. It provided that the King should command the entire naval and military strength of the colonies,—that justice should be administered in his name,—and that he should possess a negative on all future laws.[2] The laws and charters of the colonies, the civil and political powers, privileges and jurisdiction of the proprietors, were left untouched. The Board opposed this draft of an enactment, as not meeting the abuses, disorders, and discontents, to the existence of which they now thought themselves pledged. They replied that the bill formerly under discussion in the House of Lords was the only measure to which they could give their confidence.[3]

The accession of Ann put an end for a time to these intrigues; but troubles continued to increase on account of the colony; and family circumstances, within a year or two of that event, induced Penn himself to make proposals of a surrender to the crown. As soon as he landed in England, the governor had prepared to redeem his promise by sending his son to Philadelphia; but in his father's absence this ill-starred youth had given himself up to the worst excesses, and was now little disposed to leave the brilliant and dissipated life of London for the dull solitudes of a new country and the stiff decorum of a Quaker city. From his school-days he had kept the highest company; and, thoroughly instructed in the ways of vice, he had only waited his father's departure from Eng-

[1] Proprietary Papers, vol. vi. G. 3. State Paper Office.
[2] Ibid. vi. H. 13. State Paper Office.
[3] Ibid. xxvi. 383.

land,—as was then thought by all the family on an absence of years,—to enter into them with all the ardor of unchecked youthful passions. He drank—he roystered about—he kept women. When his father returned so suddenly and unexpectedly, he found him deep in debt, and almost ruined in constitution.[1] This was the worst stroke of all for Penn, as the clever but perverted boy was the only remaining son of the lost Guli, and heir to his colonial government. He had the grace, however, to be ashamed of himself; and on his father promising to pay his debts, he consented to go out for a time to America, and study the business of the country under the guidance of the newly named Deputy-Governor Evans and the council. Penn wrote the most urgent letters to his old friends in Philadelphia about him: "he has wit," he said, "has kept top company, and must be handled with much wisdom." Logan undertook to give him good counsel, and to keep such an eye on him as he would on a favorite son. But still the experiment turned out most unfortunately.[2]

For a few months he behaved very well. Logan retained his influence; and between the occasional visit to Philadelphia, and his dogs and gun or hunter and fishing-tackle at the Manor House, his time was pleasantly and innocently, if not very usefully spent. But after a while an evil intimacy sprang up between the youth and Governor Evans,—just such an ill-conditioned person as himself, though with far more hypocrisy, —and between them they soon contrived to bring discredit on themselves and a scandal on the whole community. Young Penn, as presumptive heir to the government, not only set an evil example, but undertook to protect those who imitated his own excesses. The young, the idle, the dissolute crowded about him; finding that he much more resembled his grandfather the admiral than his pacific father, they made him their chief; and the war-question being then under discussion in the Assembly, he openly joined the war-party, and on his own authority organized a body of troops in the Quaker city.[3] Nor was this his worst offence. He and his companions frequented low taverns; they got up rows in the streets and beat the watch; they broke the city regulations. The riot of Lon-

[1] Logan Correspondence, Phil. Friend, xviii. 362. [2] Ibid. 354-363.

[3] Penn to Logan, Feb. 16, 1704.—Proprietary Papers, vol. v. No. 2. State Paper Office.

don and Paris seemed to have rushed at once into the midst of that quiet community. A masquerade was established at the house of one Simes, a publican.[1] The roysterers caroused till past midnight at the White Hart. Women went about the streets in male attire; and two men were brought into court at the same time on a charge of being found at night in women's clothes, contrary to nature and decency.[2] As the elders frowned, the young grew worse and worse. At length came the crisis. There was a violent scene in the streets one night; the constable was beaten in the performance of his duty; and the city guard was called out to quell the disorder. Some of the disturbers escaped, and others were arrested:—among the former was the deputy governor, among the latter was young Penn.[3] Next morning he was brought before the mayor and rated severely. He replied with taunts and defiance; he was a gentleman, he said, and not responsible to his father's petty officers. Evans took his part and annulled by proclamation the proceedings of the magistrate's court.[4] This audacious conduct roused the Quaker spirit:—that body indicted young Penn, and in his anger he renounced their doctrines, discipline, and jurisdiction.[5] These disorders were a source of inappeasable grief to the governor in England, already deeply involved in his own concerns; and they furnished his old enemy Colonel Quarry, again active in his employer's work, with solid grounds of complaint against his government.[6] The young man soon afterwards returned to England, again deep in debt, though he had sold the fine estate of Williamstadt, 7000 acres, given him by his father,[7] and as thoroughly disgusted with America as America was with him. He quitted Pennsylvania with the threat that he would persuade his father to sell the colony to the crown, and leave the settlers to deal with a less merciful ruler.[8]

Penn had a father's pardonable weakness for this unruly youth. He thought the Quakers of the colony had dealt too harshly with him,—that they had not sufficiently considered his youth and the temptations to which he was exposed. Always lenient in his own constructions, he thought his friends

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[1] Watson, 257.
[2] Ibid.
[3] Proprietary Papers, September 2, 1704. State Paper Office.
[4] Ibid. Sep. 23. State Paper Office.
[5] Ibid. Oct. 15.
[6] Ibid. vol. viii. N. 5, 7, 16.
[7] Phil. Friend, xix. 17.
[8] Ibid. Oct. 15. State Paper Office.

should have seen the misconduct of his son in its least offensive aspect; and it was an additional grief to him to find that in whatever related to his own interests or to the private concerns of his family, the men who had most profited by his labors were always inclined to take the most uncharitable course.[1]

What his son desired from choice, he was impelled towards by necessity. His old steward, Philip Ford, one of the vilest scoundrels that ever ruined a trusting client, had died in January, 1702,[2] leaving his affairs to the management of his son and his widow,—the last a woman of masculine vices, and though bedridden with disease, of most unswerving energy. By her the son was ruled despotically; but he would have been himself as great a scoundrel as either of his parents had he possessed their talents.[3] The elder Ford had so contrived to jumble Penn's accounts, as to keep him in a state of uncertainty as to how they really stood. Being a Quaker, the governor reposed a perfect confidence in his integrity; and when asked to sign papers and accounts as a matter of course, seldom or never troubled himself to read them over, but in simple faith and uprightness set his name to them and passed them to his steward.[4] The lawyer knew how to take advantage of this want of worldly prudence in his client; and in an evil hour, when Penn needed money to go over to America the second time, he induced him to give him—as a mere matter of form—a deed of sale for the colony, on which he advanced him 2,800*l.* This deed was considered by Penn, and professedly considered by Ford, as a mortgage.[5] Ford received money on account of the province, and made such advances as the governor required; and it was not until the latter returned to England that the first suspicion of his steward's villainy crossed his mind. He was loath to entertain it; and tried for a time to think himself deceived.[6] But as soon as the old Quaker died, his knavery came to the full light of day. Penn, from his uncertain remembrance of the various sums advanced and received, believed the mortgage—or deed of sale—to be nearly cancelled; but the funeral rites were hardly paid to the dead, before the widow suddenly sent in a

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[1] Logan to Penn. Oct. 27.
[2] Friends' Register, Jan. 8, 1701-2.
[3] Phil. Friend, xix. 82.
[4] Penn's MS. Statement.
[5] Penn to Logan, December 28, 1705.
[6] MS. Statement.

bill for 14,000*l.*, and threatened to seize and sell the province if it were not immediately paid.[1]

Penn was thunderstruck. He asked for accounts properly drawn up, with all the items of receipt and expenditure, and the vouchers. Henry Goldney, a legal Friend, and Herbert Springett, a near relation of his first wife, assisted him with their knowledge and experience.[2] When the accounts of the faithless steward were re-arranged, it appeared, by his own showing, that he had received on behalf of Penn 17,859*l.*, and that he had paid 16,200*l.*, so that he had actually received 1,659*l.* more than he had advanced. Yet he claimed 14,000*l.*![3] That the matter should be settled on just bases, and, both parties being Friends, that no scandal should be brought on the society, the governor proposed to refer it to the arbitration of wise and impartial persons of their own body or out of it; but the Fords rejected the proposal. They stood to their bond: they wanted law—not equity.[4] It was to no end that their old master quoted the words of the elder Ford, calling the living wife and daughter in as witnesses; they said they would adhere to the written instrument,—the courts would give them the money which they claimed, and they would have it one way or another. It was well for him that he was able to find among his papers a complete set of the accounts as they had been rendered from time to time, and as he had passed them away so unsuspectingly.[5] These accounts enabled him to unravel the whole mystery of fraud and iniquity. (1.) The Fords had charged him interest on all their advances; but had allowed none on the receipts. (2.) They had charged him eight per cent. interest, though six was the fixed and legal rate. (3.) They had charged compound interest on the original advance of 2,800*l.*, posting it every six months, and sometimes oftener, so that the illegal overcharge of interest again bore interest, though the fair balance of the account was on Penn's side of the ledger. (4.) They had charged fifty shillings as their commission instead of ten, for every 100*l.* received or paid—even on the overcharges of interest paid to themselves, adding it to the principal every six months, so as to make him pay the monstrous commission of 2*l.* 10*s.*

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[1] MS. Statement.

[2] Penn's Mortgages. MS.

[3] MS. Statement.

[4] Penn to Logan, Dec. 28, 1705.

[5] "The accounts, though so voluminous, have been, through Providence rather than by my carefulness, preserved entire." Ibid.

to the hundred six or seven times over on the same money! (5.) Penn had given the mortgage[1] as a security for the 2,800*l.* advanced, reserving, of course, the right to sell more land if he found purchasers; while in the colony he had sold a lot for 2,000*l.*, of which he sent 615*l.* to Ford in liquidation of the debt; but instead of posting the 615*l.* to the governor's credit, he assumed that the deed of sale had made the entire colony his own, and therefore charged the account with the remaining 1,385*l.* of the purchase-money, as if he had actually advanced the money out of his pocket, and from that day reckoned commission and compound interest at eight per cent. on this sum also.[2] No wonder that the Fords refused to submit their claims to arbitration! The excess of charges on the second, third, and fourth items here briefly enumerated was found to amount to 9,697*l.*, reducing the claim of 14,000*l.* to 4,303*l.* This sum Penn offered to pay, and more, for the sake of peace; but his creditors sternly shook their deed of sale in his face, and threatened him with a chancery suit if the whole amount were not paid down by a given day. Friends interfered; some even came over from America for the purpose; but, conscious of being in the wrong, the younger Ford grew insolent and repelled their advice.[3]

Rather than submit to be ruined by such scoundrels, Penn allowed the case to go before the Lord Chancellor, though well aware that the uncancelled deed of sale could not be disputed; of course the court affirmed the special case of debt; and armed with this verdict, Ford grew more audacious than ever. Disregarding every tie of gratitude, every consideration of decency, he went with a constable to the Gracechurch Street meeting, and attempted to arrest his old patron in the gallery, while surrounded by their common friends, and engaged in the act of worship.[4] Herbert Springett and Henry Goldney prevented this outrage by promising that he should come out to them in a short time, which he did, and then by Habeas Corpus threw himself, on legal advice, into the Fleet prison,—not because he was unable to meet the demands made upon him, but because he was counselled on all hands not to gratify the knaves by compliance.[5] This incident created an

[1] In his Statement he never uses the words, "deed of sale."
[2] MS. Statement.
[3] Norris to Joseph Pike, Phil. Friend, xix. 82.
[4] Ibid. xix. 105.
[5] MS. Statement.

extraordinary sensation; the Society of Friends was especially wrath with the Fords for dogging their victim to the meeting; and many of those who had been lukewarm in the dispute before, now zealously came forward in Penn's defence. Envy itself was appeased in presence of this shameful indignity.[1]

In his old age the governor of Pennsylvania was again a prisoner. His lodgings, commodious and even comfortable, considering the circumstances under which he entered them, were in the Old Bailey; and there he not only held meetings of his own sect for religious worship, but was visited by his friends from the other end of the town.[2] The Lord Treasurer, Sidney Godolphin, touched with his situation, was an especial friend in this hour of need; and in his official capacity favorably entertained a proposal to advance him 7000*l.* for the service of his colony, on the easy condition of its being repaid in nine years from the date of lending.[3] Penn himself now began to rely chiefly on the sale of his colony to the crown to free him from all his embarrassments; his son was pressingly anxious to be rid of the incubus on the family fortunes; and the oldest and best friends of the governor in Pennsylvania urged him strongly to make a bargain with the Queen, though they saw well enough that the transfer would make against their personal interests as settlers.[4] It was a dire necessity that reconciled him to the thought of giving up to strange hands the guidance of his Holy Experiment,—nor would he ever have dreamt of such a thing had the settlers not treated him with the basest ingratitude. "I went thither," he says, in a letter to the Judge Mompesson, "to lay the foundations of a free colony for all mankind. The charter I granted was intended to shelter them against a violent and arbitrary government imposed on us; but, that they should turn it against *me*, that intended it for their security, is very unworthy and provoking, especially as I alone have been at all the expense . . . But as a father does not usually knock his children on the head when they do amiss, so I had much rather they were corrected and better instructed than treated to the rigor of their deservings."[5] When the colonists heard

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[1] Norris Corresp. Phil. Friend, xix. 105. [2] Ibid. March 6, 1708.

[3] Penn to Logan, May 3, 1708. This letter is dated from the Lord Chancellor's house.

[4] Phil. Friend, xix. 50, 73, 81. [5] Penn to Mompesson, Feb. 17, 1705.

of his troubles with Ford, though most of them pretended a decent concern, and some openly expressed their sympathy, there were not a few secretly glad, imagining that out of a doubtful and disputed title they would be able to seize some advantages for themselves. Logan briefly described the feeling of the colony: "There are few," he said to Penn in one of his letters, "that think it any sin to haul what they can from thee." Some, he added, were honest enough, but the honest men let the rogues have their own way, saying it was not their business.[1] They invaded his rights,—they seized his land,—they withheld his rents. Penn mourned in soul at these evidences of faithlessness and ingratitude; he attributed them to ignorance of their duties, to the novelty of their position as legislators, and he again and again found excuses for them in his heart. With a readier logic, Logan traced their meanness and avarice to an excess of freedom; and censured his friend for having given them so much better a charter than they deserved.[2] Against this inference the governor steadily protested; and when he came to treat with the crown for the surrender of his province, he made so many conditions in favor of the colonists, and for the security of their rights, that the Queen's government was obliged to tell him, the remainder was hardly worth a purchase.[3] Under these circumstances, the negotiations went on very slowly; Penn proposed to sell the government of his colony to the Queen for 20,000*l.*, considerably less than he had given for it, reckoning the interest at six per cent. for twenty years, on the old debt,—but stipulated that the charter as then existing and the whole body of fundamental laws should be accepted by the crown in good faith and without reserve, and a guarantee given that the province should be kept separate and distinct.[4] On such conditions the Queen was not anxious to treat. The crown desired to regain the private colonies, in order, by a general system of defence, to strengthen the frontiers against the French; but twenty years' experience had now shown that so long as Pennsylvania remained a separate colony, it would be difficult, if not impossible, to obtain from it that military co-operation which was deemed essential to the common safety.

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[1] Logan Corresp. Phil. Friend, xix. 49, 50. [2] Ibid.
[6] Hannah Penn to Logan, Feb. 22, 1715.
[4] Prop. Papers, June 18, 1703—Dec. 7, 1710. State Paper Office.

It was only by means of Colonel Fletcher's plan of combining the provinces in which Quaker influence was strong—Pennsylvania, Rhode Island, Delaware and West New Jersey—with the Puritan and more warlike settlements of New England, that the bold front could be opposed to the French, which Marlborough and the Queen's advisers thought necessary to the general security. The crown steadily refused to buy the colony except on terms which left it free to adopt its own measures of defence; and although negotiations were renewed from time to time, no bargain had been finally made when Penn was arrested by the Fords.[1] Yet even at this moment, though a prisoner in the Fleet, his thoughts were full of that free and pacific democracy which he had founded, the free colony for all mankind—the peace and plenty enjoyed by the settlers—and in spite of their ingratitude, their petty meanness, their secret persecution, he would not give up to the imperial government a single item of those rights which he had himself granted to them as their lord proprietor.[2]

Young Ford went over to Pennsylvania. He there found out Quarry, David Loyd, and other factious persons who were opposed to the Penn family; and in concert with these men contrived by false reports and under-hand practices still further to spread discontent and embarrass the government. Governor Evans had now retrieved his character, and he defended the person and the interests of his employer with a dignity and a success which astonished every one. From that moment he became an object of suspicion and evil report.[3] Having gained over several persons to his interests,—especially the infamous David Loyd,—Ford returned to England and held out threats of a disturbance in the colony, if his unjust demands were not met. Penn taking no heed of these menaces, he sent out letters to the effect that the province was his—his father, he said, having bought it from Penn several years ago, and relet it to him on a certain rental; the rents not having been regularly paid, he said he was now resolved to take the country into his own hands, and therefore cautioned the owners of land not to pay any moneys to the agents

[1] The progress of these negotiations may be traced in the Proprietary Papers, under dates May 11, 1703; May 18, June 8, 15, 18; Jan. 2, 1705; Jan. 11, March 9, May 1, June 5, 6, 20, Sept. 1, Oct. 12, 23. State Paper Office.

[2] Penn's Letter, Feb. 26, 1705. Hazard's Register, xii. 363.

[3] Phil. Friend, xix. 114.

of Penn, at their proper peril.[1] He and his mother had impudence enough even to petition the Queen to issue a new charter, making the colony over to them.[2] Up to this point they had received no check in their roguery; but now the Lord Chancellor Cowper, having heard the case argued, not only gave judgment against them, but spoke so severely as to the merits of the case, and the animus of their proceedings, as to cow their spirits most effectually.[3]

Fearing lest he should lose all, the younger Ford began to talk of terms. Penn had offered to pay more than five hundred pounds more than appeared to be justly due on the face of the amended account; but this offer had been rejected.[4] And now another instance of the elder Ford's swindling was discovered. In the accounts appeared an item of 1,200*l.* paid into the Society's stock, which, with compound interest, reckoned every six months, amounted in the long-run to 5,569*l.* But on searching into the Society's books, it was found that instead of 1,200*l.*, as stated in the accounts, he had only paid in 500*l.* The balance of 700*l.*, with the eight per cent. compound interest, amounted to 3,249*l.* of overcharge on this item alone; and this being deducted from the former balance of 4,303*l.*, left only 1,054*l.* owing altogether, according to the rules of business and equity.[5]

As the Fords now showed a disposition to treat for the liquidation of their claim, Penn began to raise money. Much of his private property was gone to support his family during the twenty years of his profitless rule in America. He sold the Worminghurst estate to a Squire Butler for 6,050*l.*, just 1,550*l.* more than he gave for it, after having cut down 2,000*l.* worth of timber. This money satisfied some of his creditors, but not all; and one of them, a man named Churchill, was so importunate, as to try to stop Butler's payment of the purchase-money.[6] Under the advice of Henry Goldney, the lawyer, whose purse was as much at his friend's service as his tongue, Penn and his son William made over to Callowhill, Goldney, Oades, and several others, a deed of sale of Penn-

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[1] Logan's Corresp. July 13, 1705.
[2] Privy Council Register, A. R. iii. 508. Privy Council Office.
[3] Norris to Logan, March 6, 1708.
[4] Field to Story, July 22, 1707. Story MSS.
[5] MS. Statement.
[6] Penn to Logan, May 18, 1708.

sylvania for one year, in consideration of the receipt of ten shillings, with intent that these parties might be in actual possession of the province during the settlement with the Fords and other creditors.[1] This was done as a matter of precaution; but the next day the same parties took a formal mortgage of the colony, and paid into his hands 6,800*l.*[2] Henry Goldney and three friends advanced 3,300*l.*; Thomas Callowhill, his father-in-law, 1,000*l.*; John Field and Thomas Cuppage 1,000*l.*; twenty-three other persons subscribed the remaining 1,500*l.*[3] With this money the Fords were paid. After much negotiation, they had reduced their monstrous claim just one-half; Penn was ill satisfied with this state of the account; but his legal advisers took the matter into their own hands, and arranged it to the best of their ability, he, for the sake of peace, finally acquiescing. Between seven and eight thousand pounds were paid, and he quitted his doleful lodgings in the Old Bailey for a house at Brentford.[4]

Disorders continued in Pennsylvania. The vigorous measures adopted by Evans to protect the public rights of his employer arrayed against him the whole tribe of those lawless and selfish men who favored pirates, disliked the quaker régime, and sought their own aggrandisement in the ruin of their governor. Men of this stamp abound in every new settlement; and the extreme amenity of the laws in Pennsylvania had attracted them to its capital from every part of the continent. Evans behaved in his difficult situation with more zeal than prudence. Instead of rallying round him the more respectable body of the old Quaker settlers, he offended their prejudices, and broke with them finally on the war question. Procuring a false report to arrive in the city that the French were coming up the river, he rushed into the street, with his drawn sword in his hand, calling on the people right and left to arm and follow him. The terror was extreme. Some

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[1] Original Deeds, Oct. 6, 1708. [2] Ibid. Oct. 7, 1708.

[3] I am willing to preserve the names of these faithful friends: Geoffrey Pinnell, 100*l.*; Richard Champion, 100*l.*; Ab. Lloyd, 100*l.*; James Peters, 100*l.*; Edward Lloyd, 100*l.*; Charles Jones, 100*l.*; George Bridges. 100*l.*; Thomas Oade, 50*l.*; Charles Harford, 50*l.*; Peter Rosens, 50*l.*; Benj. Cole, 50*l.*; John Scandrett, 50*l.*; Silvanus Cox, 50*l.*; Charles Jones, 50*l.*; Brice Webb, 50*l.*; Cornelius Sargeant, 50*l.*; Benj. Moss, 50*l.*; N. Kitt, 50*l.*; Enoch Noble, 50*l.*; C. Harford, 50*l.*; John Andrews, 50*l.*; Jos. Vigor, 50*l.*; and Edward Lyne, 50*l.*—Ibid.

[4] Penn to Logan, May 3, 1708

burned their effects,—many fled into the woods,—still more seized their arms and placed themselves under his command. He fixed his standard on Society Hill, and three hundred well-armed men, some of them Quakers, appeared at the rendezvous.[1] The deputy's purpose was answered: he had discovered by the cheat how many of the inhabitants of the city he could rely on in case of a real attack; but the Quakers, to use the words of Logan, were disgusted and piqued to the heart, and they certainly never pardoned the clumsy contrivance.[2]

Another enemy to the peace of the colony appeared in the churchmen. Every opinion, political or religious, being free in Pennsylvania,—and every sect having its own right of worship,—several persons belonging to the Church of England had settled in the province. So early as 1702, the inhabitants of Philadelphia were easily divided into about two equal portions:—one of these were Quakers, real or professing; the other was a curious medley of English Independents, Irish Catholics, Scotch Presbyterians, Welsh Episcopalians, German Amish, Swiss Calvinists, Swedish Lutherans, and so on. Each of these sects supported its own worship and ministry. Though the Quakers were in a large majority over any other individual sect, they carefully abstained, as a body, from giving themselves the airs of a colonial church.[3] And for twenty years the various churches had lived in decent harmony, until the intriguing spirit of the clergy at home sent pride, discord, and disunion among them. To conciliate the Bishop of London and the Church party generally, King William had made two grants—one of 50*l.* a year, chargeable on the customs, towards the support of a church and minister at Philadelphia; the other of 30*l.* a year, equally chargeable on the customs, for the support of a schoolmaster.[4] Nor was the tax of a penny a pound on all the tobacco exported from Pennsylvania and the Delaware the chief evil of this arrangement.[5] Under favor of this endowment, which in itself was an outrage to every other denomination in the colony, the Vestry of St. Paul's assumed the haughty and dictatorial attitude of the Church in England.

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[1] Logan to Penn. May 28, 1705. [2] Ibid.
[3] Phil. Friend, xviii. 386.
[4] Privy Council Register, W. R. iv. 240. Privy Council Office.
[5] Ibid. A. R. i. 114.

They labored year by year to undermine and destroy the power of the too tolerant proprietor,—now invoking the protection of Lord Cornbury,—now applying for support and counsel to the see of London,—now joining with the pirate party, the ultra-democrats, the anti-rent-payers, or with any other party of disorder.[1] Their policy was obvious and logical enough. They wished to be made the national Church, to obtain endowments, charters, and privileges from the state. Their first measure, therefore, was to get the colony annexed to the English crown. They were unjust and ungenerous; but they were not, like the Quakers, and other Dissenters, illogical. They pleaded the license of a party suffering persecution: their clergy, they said, had not the same rank and the same rights as in England: this was their grievance. In a land of equals, they would be superior. They claimed immunities which were denied to all. They wished to be the dominant church.[2]

Penn was anxious to return to America. Every month he seemed finally determined to go over, as things had always gone on smoothly under his own control. But his want of means continually interfered. At the end of this year he wrote to his agent—"I assure thee, if the people would only settle 600*l.* a-year upon me as governor, I would hasten over. . . . . Cultivate this among the best Friends."[3] But the best Friends would do nothing. When the Assembly met the quarrel with Evans was at its height: if they proposed a bill, he rejected it: if he proposed a bill, they rejected it in turn. Nothing was done; and the confusion at head-quarters paralysed or disturbed every branch of industry in the province. Penn was obliged to recall his deputy.[4]

Lord Baltimore was again active. After a lapse of twenty-three years, he revived his claim to the second half of the Delaware peninsula; it is possible that he only then discovered that his rival's title to the territory in question, had never been formally completed;[5] and although three successive sovereigns had allowed his right of possession to remain

[1] Proprietary Papers, vol. vii. M. 22; viii. O. 77. State Paper Office.—Logan Corresp. Phil. Friend, xviii. and xix.

[2] Privy Council Registers, A. R. i. 114 et seq. Privy Council Office—Logan Corresp. Phil. Friend, xviii. 386.

[3] Watson, 552.

[4] Proprietary Papers, May 20, 1708. State Paper Office.

[5] Ibid. vii. L. 38. State Paper Office.

undisputed, he thought there was a new opening for his claim, and he advanced it.[1] He petitioned the Queen to repeal the Order in Council, made by her father, dividing the peninsula, and to restore the whole to him in virtue of his original grant. Somers and Sunderland advised Penn to send in a counter-petition to the Queen.[2] The Lords of Trade allowed the question to be re-opened; but they were unable to settle it on any satisfactory basis; and finding their geography and law equally at fault, they had recourse to the old plan of asking the litigants to arrange it for themselves, and report the results to that board.[3] The dispute remained unsettled for more than another quarter of a century,[4] to the great annoyance of the proprietor and the injury of his family. But a new source of trouble was opened by the dispute; and the uncertainty about boundary-lines soon lost itself in the prior question of title. It was to no purpose Penn urged that his deeds were made out, and were all but signed when King James fled from Whitehall; there were many powerful personages about the court whose anxiety to obtain an American province, ministers thought proper to coquet with,—among others, the Earl of Sutherland set up a claim to the Delaware,[5]—and the government chose to consider its own claim to the territories on that river as something more than a pretence. When Deputy-Governor Colonel Gookin was sent out in 1708, and again when Sir William Keith was appointed to the same office in 1716, the minister gave his sanction with a special reservation of the supposed right of the crown to the Delaware province.[6]

Penn was now sixty-five. His health was failing; his imprisonment in the close atmosphere of the Old Bailey had given a shock to his constitution, from the effects of which he had never recovered. Country air had now become indispen-

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[1] Maryland Papers, Feb. 21, 1708.—Proprietary Papers, Feb. 20, March 3. State Paper Office.

[2] Privy Council Registers, A. R. iv. 245, 6, 304. Privy Council Office.—Penn. Hist. Soc. Mem. i. 209.

[3] Maryland Papers, August 24, 1708. State Paper Office.

[4] Penn. Hist Soc. Mem. i. 188. It was settled in the Law Courts in 1750.

[5] Proprietary Papers, x. Q. 110. I have traced the progress of the Earl's claim through Proprietary Papers, xxxi. 70. Ibid x. Q. 115, 134. America and West Indies Papers, Oct. 21, 1717. The writer of colonial history should consult these papers.

[6] Privy Council Registers, A. R. iv. 139, and G. R. i. 481. Privy Council Office.

sable to him; he tried Brentwood; but that was too near London, and he subsequently took a handsome country seat at Ruscombe, in Berkshire, where he continued to reside until the day of his death. Some fitful gleams of light broke in upon his later years; dreams of an unattainable prosperity, which served at least to rouse his attention and to exhilirate his now sinking spirits. Soon after he had recovered his colony, reports arrived that a great silver mine had been discovered in the province;[1] a long and powerful remonstrance which he wrote to his American subjects, produced the most happy effects; and the establishment of a general peace gave him reason to hope for the speedy settlement of a long outstanding account with the government of Spain. The silver mine,—on the report of which he built a pleasant castle in the air, feeling himself already relieved from the load of debt and his family provided with ample means,—proved in the end a bitter delusion; and it is at least probable that the Spanish affair turned out no better.

George Penn, the admiral's elder brother, having married a Catholic lady of Antwerp, settled, as was said in the first chapter of this history, in the south of Spain as a merchant, residing chiefly at Seville, Cadiz, Malaga, and San Lucar. As an English Protestant, his conduct was scrutinized with jealous closeness by the officers of the Holy Inquisition; but he cautiously abstained from giving grounds for offence, particularly in regard to the religious prejudices of the country in which he lived, so that malice itself was foiled in the attempt to draw him into a snare. But as he grew rich with years of industry and success, the Church, eagerly covetous of his wealth, became impatient of his blameless life, and seized him on its own secret warrant. When the familiars of the Holy Office broke into his house at San Lucar, they commenced their proceedings by casting him out, body and soul, from the Christian Church and the fold of God. They seized his money and furniture, his plate and pictures, his wearing apparel and his wife's jewels, his stock of merchandise, his books, papers, and accounts, and every other particle of property, down to the nail in the wall. Nothing escaped their rapacity.[2] His wife was carried off he knew not whither; he

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[1] Phil. Friend, xix. 113. Penn. Hist. Soc. Mem. i. 207.

[2] Humble Remonstrance of George Penn. App. to Granville Penn, i. 150.

himself was dragged to Seville, where he was cast into a loathsome dungeon, only eight feet in diameter, and as dark as the grave. In this living tomb he was left with a loaf of bread and a jug of water. For seven days no one came near him; and then the gaoler simply brought another loaf, and another jug of water, and disappeared. This course was continued for three years,—during which time he was worn to a skeleton. No one was allowed to visit him in his cell, no letter or message was suffered to be sent out. He had vanished from the world as completely as if the earth had opened on him in the night, and then closed over him for ever.

At the end of the first month of his confinement there was a break in the horrible monotony of his life. The silent and masked familiars of the Office came into his cell, took him by the arms, stript him naked, and tied him fast to the iron bars of his dungeon door; when one of them, armed with a powerful whip, made of knotted cords, dealt out fifty merciless lashes. Every month this flogging was repeated, the new stripes crossing and tearing up the former wounds until his body was one huge festering sore. And all this time he was unable to learn the name or nature of the crimes laid, truly or falsely, to his charge! Three years having elapsed without provoking self-accusation, the prisoner was brought into the trial-chamber, and in the presence of the seven judges was accused of various crimes and heresies—particularly with having tried to seduce his wife from the Catholic faith. He pleaded not guilty. But instead of producing witnesses to prove his alleged crimes, the judges ordered him to be tortured in their presence, until he confessed the truth of what was charged against him. For a while his strength and resolution defied the agonies of the rack; but his tormentors persevered, and at the end of four hours of excruciating and accumulating torments, he gave way and offered to confess any thing they wished.[1] Not satisfied with a confession which by the usages of Spain gave up his whole property to the Holy Office, the judges put him to the rack again, and by still more refined and delicate torture forced from him a terrible oath that he would live and die a Catholic, and would defend that form of faith at the risk of his life against every enemy, on pain of being burned to death if found

[1] Humble Remonstrance of George Penn. App. to Granville Penn, i. 552.

recalcitrant. He was then cut down from the rack, placed on a hurdle and conveyed to his former dungeon.[1]

As soon as he was sufficiently recovered from his wounds to walk, he was taken to the great Cathedral of Seville in solemn procession, accompanied by the seven judges, their households, by several hundred priests and friars, and by a vast multitude of people, and in presence of the whole congregation was exposed as a signal instance of the great mercy of Holy Inquisition. His wife was taken from him and forcibly married to a good Catholic; the whole of his estate amounting in plate, furniture, jewels, goods, and merchandise, to twelve thousand pounds was confiscated; the money found in his hands belonging to other parties was seized; and he was finally commanded to quit the country in three months on pain of death.[2] This last injunction only added insult to injury; for the judges well knew, that having seized his estate, the moment he left the Cathedral he would be arrested for debts which he had no means of discharging:—the very same day he was thrust into a common gaol, with little or no hope of ever obtaining a second release.[3]

The exhibition in the cathedral being public, several English residents in Seville were present,—and the intelligence of his brother's position soon reached the young admiral on his station in the Channel. His measures were prompt and characteristic. Instead of appealing to Cromwell, and setting the dilatory diplomacy of London and Madrid at work to procure his release, he seized in one of his prizes a Spanish nobleman, Juan de Urbino, then on his way to Flanders, where he held the post of secretary to the government, stript him naked like a common prisoner, and treated him to many indignities. This act, indefensible in itself, spoke home to the Spanish sovereign—and George Penn was soon released and sent back to England.[4]

The death of Cromwell prevented any reparation being made for his losses and sufferings; but when the restoration was effected, King Charles appointed him his Envoy at the Court of Spain, with a view to his proper re-instatement in the opinion of his old friends in Seville and San Lucar, and to

[1] Humble Remonstrance of George Penn. App. to Granville Penn, i. 552.
[2] Case presented to Queen Anne. Granville Penn, App. i. 555.
[3] Humble Remonstrance of George Penn, i. 550.
[4] Granville Penn, i. 231-3.

add weight to his claim for damages in body and estate. This act of substantial justice, however, came too late. His aged flesh had been torn, his limbs dislocated and ill-set, his body starved for more than three years on bread and water:—and he died in London only a few weeks after receiving the royal appointment, leaving his claims as a legacy to the admiral and his family.[1]

The wars of Europe had hitherto offered no eligible opportunity for pressing this claim, but a general peace having been secured by the Treaty of Utrecht, and friendly relations between Spain and England restored, Penn petitioned the Queen to instruct her Envoy at Madrid to prosecute this claim and obtain a restitution of the amount originally seized from his uncle.[2] How far this application was successful is uncertain: it is not known that any part of the confiscated property was restored. The Queen was particularly favorable to her father's ancient ward; and he had staunch friends in the all-powerful Duke of Marlborough, with whom he had long corresponded,[3] —in Sidney Godolphin, who employed him occasionally as a neutral person in his communication with Tory statesmen,[4]— and in Harley, Earl of Oxford and Mortimer, now the chief member of the cabinet. But money once swallowed up by the servants of the Holy Inquisition was like wealth cast into the sea; and the court of Spain was too poor and too immoral to think of redressing a private wrong at its own expense.

The earnest remonstrance addressed to the people of Pennsylvania produced a sudden revolution in his favor. He reminded them in simple but touching language of the sleepless nights and toilsome days, the expense, the load of care, the personal dangers, the family misfortunes, which he had to endure on account of the colony. He contrasted this with their own case. They had found a noble field for their capital and industry; they had got lands, acquired political rights, enjoyed religious liberties, denied to them in their native land. Yet not satisfied with the enjoyment of these rights and privileges, —with the acquisition and increase of their worldly substance, —they must ungratefully turn the arms which he had supplied as a defence against foreign oppression, upon himself. He mournfully recited their past misdeeds—referred to their pre-

[1] Case presented to Queen Anne, i. 555. [2] Ibid. i. 556.
[3] MS. Letters in my own possession. [4] Dartmouth's note, Burnet, vi. 8.

sent unbecoming and uncivil attitude towards his person and government. He made to them a fatherly but a final appeal. The Queen, he told them, was willing to buy the colony and annex it to the crown: the only point still at issue was the one affecting their laws and charters. In spite of their ill-returns he had been faithful to all his promises. He put it to them as men and as Christians whether they had used him fairly. While they had grown rich—he had become poor; while they had acquired power—he had lost it; while they had enjoyed through his toil and fore-thought, wealth, influence, and freedom—he had been reduced through their neglect and avarice to seek even the shelter of a prison. He wished to have an answer to his long-gathering suspicion that on their side they desired to sunder the old connection; if it were so, he concluded, let it be declared on a fair and full election, and his course would then be clear.[1]

The answer was emphatic. When the Assembly met again after the general election, not a single man of the old and aggressive chamber was returned. The colony had been stung with the mild reproaches of its Founder, now in his old age enduring poverty brought on by his too great liberality: and the session which ensued, was the most cordial and harmonious, as well as the most useful, in the history of the Assembly. Penn was highly gratified with this national response;[2] and the historian dwells with an especial complacency on this brief interval of calm and rational legislation,—separating, as it did, the storms which preceded, and the hurricanes which followed,—because it was the last session of the Colonial Parliament, of the nature and conduct of which the governor was perfectly sensible. Before another gathering of the members took place, his vigorous and active mind was utterly overthrown.[3]

His latest action on the colonial legislature, was in behalf of the poor negroes. Ten years before this period, he had tried in vain to get a formal recognition of their claims as human beings;[4] but the question of slavery had made rapid progress in the interval, thanks to the efforts of his simple and earnest disciples from Worms and Kirchheim,—and his own ideas had also undergone a considerable development. He no longer doubted the injustice, the inhumanity of the trade in

[1] Letter to Assembly, April 29, 1710. [2] Penn. Hist. Soc. Mem. iv. 208.
[3] Hannah Penn to Logan, Oct. 13, 1712. [4] Chap. xi. p. 302.

man. In 1705, only four years after the rejection of his proposed act for a better regulation of the morals and marriages of negroes, the Assembly tried to discourage slavery, without violence to existing interests, by imposing a duty on their importation from Africa, or from the neighboring colonies.[1] They now, in 1711, passed an act declaring their importation for the future, under any condition, absolutely prohibited. This was a great satisfaction to the humane governor. But as soon as the law reached England, to receive the usual confirmation of the crown, it was peremptorily cancelled.[2] Some years before this time, the two Houses of Parliament had put a declaration on the statute book of the realm, to the effect that the trade in slaves was highly beneficial to the country and the colonies;[3] in the session then sitting, 1711, a committee of the Commons had recommended the adoption of means to increase the capture of negroes, that their value might be reduced in the slave-markets of the plantations. The Privy Council was scandalized and indignant at the Provincial Assembly, for daring to propose a measure so hostile to the laws and interests of the parent State![4] The germs, however, of truth, humanity, and justice, were planted in the colony, and in due season came the harvest. Heavier duties were laid on importations; petition after petition was sent over to England; a disinclination to buy or sell negroes arose; then a desire not to have them in possession:—but the Home Government continued steadily to oppose and cancel every act of colonial legislation tending to close the abominable system.[5] It was only with the revolt against England, that freedom came to any part of the black race in America.[6]

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[1] Watson, 481.

[2] Proprietary Papers, vol. ix. Q. 29. State Paper Office.

[3] William III. 8 and 10, c. xxvi. [4] Watson, 481.

[5] "The British Senate have this fortnight been producing methods to make more effectual that horrid traffic of selling negroes." Horace Walpole to Sir H. Mann, ii. 438. This was written Feb. 25, 1750: only a century ago!

[6] Bancroft, on the whole, just to Penn, has fallen into a mistake on the subject of his views on the negro question. He points a moral with the assertion "that he died a slaveholder," ii. 403. The authorities cited are the Mass. Hist. Coll. xviii. 185, and Watson, 480. The evidence, a letter of T. Matlack, is the same in both cases. Matlack says in this letter that Penn left a body-servant (slave), whose surname was Warder. The assertion can be fully disproved. The bill of ale of this identical negro, Virgil Warder, is fortunately still in existence, in the possession of George M. Justice, Esq., of Philadelphia. From this document it appears that he was sold in 1733, by his master, Joseph Warder, in whose house he had been born, and whose name, according to custom, he

Penn was in London in the early part of 1712, when he received the first of those severe shocks of paralysis, which in a few months laid his reason completely prostrate. For a few weeks he lay in a lethargic state, almost unconscious of things around him, the medical attendants constantly at his side, and all business cerefully kept from him, to prevent mental action.[1] As he recovered, he began to pay attention to affairs once more; for his son William was now almost a stranger to the family, and the whole weight of his colonial duties had to be borne by him in person. But the pressure was too great for his now weakened brain, and a second and more violent shock was brought on at Bristol, in October of the same year. From this fresh prostration his recovery was extremely slow; but in the meantime his active and able wife wrote his letters of business, and conducted the affairs of his government with an energy and wisdom truly masculine.[2] At the end of three months, while yet in a state of great debility from the severity of the two attacks, he received another and final shock. His daughter Letitia, married to William Aubrey, was summoned to Ruscombe, to his bed-side, his life being thought in danger.[3] The five children of his second marriage, were all about him in his sickness; but the son of Guli was not there. Since his return from Pennsylvania, and his public renunciation of his father's religious opinions, he had been less and less under the paternal roof. Marriage, and a home blessed with three beautiful and promising children, Guli, Springett, and William,[4] produced no happy result on his erratic and unstable character. He was the great thorn in his father's side.[5] He went into the army, but quitted it again in disgust. He tried to get into Parliament, but his opponent bribed higher, and he was defeated at the poll. He quitted his young wife and her children, leaving them to the care of strangers, to seek the lowest dregs of pleasure and

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bore—to *Thomas* Penn. This was fifteen years after William Penn's death! Matlack's memory had evidently failed him: when he wrote the letter (in 1817) he was nearly ninety, and was trying to relate a conversation which occured in 1745. The eloquent historian of America will, I am certain, remove this error from his future editions. See Tyson's Colony of Pennsylvania, p. 61-3.

[1] Hannah Penn to Logan, Oct. 8, 1712.

[2] Logan's Corresp. Phil. Friend, xix. 140-218.

[3] Hannah Penn to Logan, Feb. 5. 1713.

[4] Genealogy in Penn Gaskell MSS. [5] Penn to Logan, Feb. 16, 1704.

dissipation, in the cities of continental Europe. He returned no more to England. A few years later, his family heard that he was living in an obscure town in France, worn out morally and physically, ruined in purse and in constitution.[1] They never saw him again. He died in 1720, of consumption, brought on by his excessess,—but full of penitence, it is said, for his errors. To his father, the most mournful part of this story was never known.[2]

Penn's mental weakness and debility grew upon him day by day. From the time of his third attack of paralysis, he was considered in a dying state:—but he lingered on in a gentle and sweet decline, tasting the happiness of a repose which he had sighed for many years without attaining. To the devout it almost seemed like a dispensation of Providence, that after so long a period of toil and perturbation, his troubled spirit should have found an interval of rest. Later on in his long illness, he felt a few more slight shocks of paralysis; but they soon passed; and his bodily health on the whole continued good. His temper was profoundly gentle and serene. He took an extraordinary interest in the concerns, the pleasures, and the amusements of his young children; and the abandoned widow of his son and her little ones were sent for and housed with him at Ruscombe. When the weather was fine, it was his delight to take them out into the fields and meadows to gather flowers, and watch them chase butterflies. He was again a little child. When the weather was unpropitious, he gambolled with them about the rooms of the great mansion, taking an infantine pleasure in running from suite to suite, in looking at the fine furniture, and gazing from the great windows on the snow or rain in the gardens below. The large mansion was kept on by his wife, though they could ill afford the expense, solely to gratify this child-like fancy. Never before had he felt so happy. He could not speak very much at one time; but a constant smile of inward satisfaction lighted up his face. It was only when he saw his wife looking anxious, or when, on going suddenly into a room, he found her writing, that a shade of melancholy thought overcast his countenance; and to prevent the evident distress which the thoughts so suggested brought to his mind, she was forced to

[1] Phil. Friend, xviii. 363-370.
[2] Hannah Penn to Logan, June 29, 1720.

write the many necessary letters to his American agents and men of business in London, when he was asleep or out of sight. Though unable to write or dictate a letter, he appeared to retain a vague and distant sense of trouble as connected with that voluminous correspondence. In this state he lingered for five years. His mind never regained for a single moment its old vigor and elasticity; his memory faded more and more daily; he forgot the names of his most intimate friends, even when he perfectly remembered their persons; his power of distinct and fluent utterance forsook him; he spoke but seldom, and then in broken and abrupt sentences; but under all these trials the placid benignity of his character came out still more strongly and distinctly. A strange attractiveness lingered about the ruins of this noble mind. Palsy had done its work very gently. The intellect was a mere wreck—the temple of reason lay in confused heaps,—there a broken column, here a shattered fragment of the frieze, elsewhere the fallen statue of the god,—but, like the remains of an ancient edifice seen under the mild radiance of an Eastern night, it appeared to those who looked on it beautiful and soothing even in its desolation.[1]

The two friends who were most frequently at his side during this long illness were Thomas Story and Henry Goldney. They were neither of them in good health; but they considered it a sacred duty to be near their dying friend. Towards the end of July, 1718, Story was at Ruscombe, assisting the wife in her American affairs, as he had been several years in that country, and knew all the parties and passions at work in Pennsylvania. On the 27th he left the neighborhood for a short trip to Bristol; Hannah had taken him in her coach to Reading, and not suspecting that the catastrophe was so nigh, she had there parted with him, with messages to John, her eldest son, then in Bristol with a merchant, learning business. When she returned to the house, Penn was no worse than he had been for a few days past; but the next morning about noon a sudden change occurred; he was seized with fits of shivering, lowness of spirits, and other alarming symptoms. She wrote a hasty letter to recall Story.

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[1] MS. Letters of Hannah Penn. MS. Testimony of Reading Friends, March 31, 1719. Logan Corresp. Phil. Friend, xix. 156, 60, 62. Story's Journal, Dec. 16, 1714 et seq. Besse, i. 150.

to Ruscombe, but he had gone too far, and her messenger was too slow; so that she had to face the trials of the day unaided by a single friend out of her own family.[1]

The cold shivers were quickly followed by unnatural heats. The medical attendants believed that an intermittent fever was setting in; but on the twenty-ninth the patient had grown so much worse, that they no longer entertained a hope of his recovery. Hannah then sent a messenger with orders to ride post haste to Bristol, to summon her son John, now a youth of three-and-twenty, to his father's bed-side.[2]

But death rode faster than her messenger. In the first watches of the summer morning, between two and three, he seemed to fall asleep. His poor widow watched his lips in agony and suspense. They never moved again.[3]

Under the circumstances of his family, it was a fortunate incident that Penn had made his second and final will a few months before the last stroke of palsy deprived him of his native strength of mind, that is while suffering of a slight illness in London in 1712. By a settlement effected by Guli before her death, William, the son now absent from England, was made heir to the Springett estates in Kent, which estates he had involved through his riot and extravagance, and had sold to pay his debts. The power to commit further waste of the family property was therefore denied him; but his children, Guli, Springett, and William, were made co-heirs to the Shangarry property, and other estates in England, the whole being at that time worth about fifteen hundred pounds a-year. Besides this property, he bequeathed to these children, as well as to his daughter Letitia, being all the descendants of the Springett alliance, 10,000 acres each of the best unappropriated land in Pennsylvania. The government of his province he devised to Harley, Earl of Oxford, and William Earl Pawlett, friends of many years standing, in trust, to dispose of to the crown or otherwise on the best conditions they could obtain, leaving the money to be applied as he should afterwards direct.[1] The soil, rents, and other profits of Pennsylvania he bequeathed to twelve trustees, who after laying out

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[1] Hannah Penn to Story, July 28, MS.

[2] Ibid. July 29. MS.

[3] Ibid. Postscript, July 30.

[4] MS. copy of will, May 27, 1712. He forgot to give these after-directions as to the disposal of the money,—an omission which was held to jeopardize the will, and led to a suit in Chancery. Penn. Hist. Soc. Mem. i. 222, 3.

the forty thousand acres for Guli Springett's descendants, were to sell as much land as would pay off the whole of the testator's debts, and then divide the remainder among his five children by Hannah Callowhill, in such proportions as his widow should think proper. A codicil reserved a pension of three hundred pounds a-year—a very considerable portion of the whole—to his widow out of these rents and profits. Finally, Hannah was made his sole executrix.[1] To understand the nature of Penn's ideas in forming this will, it is necessary to recollect that up to a period within a year or two of its being drawn up, Pennsylvania had not yielded a shilling a-year to the family. When the will was made, it is probable that the return was not five hundred per annum; so that in leaving Shangarry and the English property to Guli's children, he thought he was settling on them the best and securest part of his estates. He had no conception of the enormous increase of value which twenty years of peace, following on the Treaty of Utrecht, would give to Pennsylvania. Hannah's children became the lord proprietors of the colony, and the younger branch of his family stood before the world as the more conspicuous representatives of the Great Founder.[2]

William Penn was buried at the picturesque and secluded village of Jordans, in Buckinghamshire, on the 5th of August, 1718, by the side of Guli, his first and most beloved wife, and Springett, his first-born and favorite son. A great concourse of people followed the bier from Ruscombe to the grave-yard, consisting of the most eminent members of the Society of Friends, come from all parts of the country, and the distinguished of every Christian denomination in the more immediate neighborhood. When the coffin was lowered into the grave, a solemn pause of religious silence ensued; after which the old and intimate friends of the dead spoke a few fitting words to the assembly; and the people dispersed to their several homes subdued and chastened with the thought that a good and a great man had that day disappeared from the face of the earth.[3]

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[1] MS. copy of will, May 27. [2] Penn Gaskell MSS.

[3] MS. Testimony of Reading Friends, March 31, 1719.—Story's Journal, 607.—Besse, i. 150. Nothing could be less imposing than the grave-yard at Jordans: the meeting house is like an old barn in appearance, and the field in which the illustrious dead repose is not even decently smoothed. There are no gravel-walks, no monuments, no mournful yews, no cheerful flowers;

there is not even a stone to mark a spot or to record a name. When I visited it with my friend Granville Penn, Esq., great-grandson of the State-Founder, on the 11th of January this year, we had some difficulty in determining the heap under which the great man's ashes lie. Mistakes have occurred before now: and for many years pious pilgrims were shown the wrong grave! Supposing *a* to represent the small gate leading into the grave-yard, the following will give its correct topography:

Thomas Ellwood	John Pennington	.. ..	*a.*	Penn's infant children
Mary Ellwood	Mary Frame	Isaac Pennington		
.. ..	Springett Penn	Lady Springett		
.. ..	Letty Penn	Guli Penn		
.. ..	.. ..	William Penn		

Granville Penn, Esq., is disposed to mark the spot by some simple but durable record,—a plain stone or block of granite; and if this be not done, the neglect will only hasten the day on which his ancestor's remains will be carried off to America—their proper and inevitable home!

EXTRA CHAPTER.

"THE MACAULAY CHARGES."

In this supplementary chapter I propose to review the charges made against William Penn by Whig historians, and adopted, with novelties and exaggerations of his own, by Mr. Macaulay in his recent History. The reader who has traced his career from Tower Hill to the grave-yard at Jordans, may hardly care to read what follows; the simple record of his life being the most emphatic answer that can be given to party misrepresentation: but I believe there are some who will look for a more formal refutation of these charges at my hands, and for their satisfaction I enter into the several points of controversy which have been raised. Every one is conscious of the animus which pervades the last Whig history. To point out the capricious likes and dislikes of the historian would be tedious, and is unnecessary: at the same time I will not deny that his page is alive with pictures, and that the narrative possesses a unity and vehemence which render it one of the most useful additions to our store of historical reading since the appearance of the Scotch novels.

Mr. Macaulay has written several volumes of history and criticism. He must be aware that one of the fundamental laws of Critical Inquiry demands, that when a fact or a character has stood the tests of time, and in the progress of opinion has attained to something like a fixed position in the historical system, the evidence in support of any assault on it must be strong and free from taint in some fair proportion to the length of time and strength of opinion on which it rests. This rule is deeply based in human nature. The fixity of historical ideas is, in other words, the permanence of truth. Once a great historical verdict is passed, the noblest instincts of our being prompt us to guard it as something sacred,—to be set aside only after scrupulous inquiry and conclusive evidence against its justice. The wise man will not rashly disturb the repose of ages. Our faith in history is akin to religion: it is a confidence in our power to separate good from evil—

truth from falsehood,—to preserve in their native purity the wisdom which serves to guide, and the memories which inspire the best actions of mankind. Mr. Macaulay will not deny the reasonableness of a rule growing out of such a feeling. He would himself exact the strongest facts and the severest logic from the man who should presume to dispute the laws of Kepler; and the fullest and most unquestionable evidence would be required in support of an assertion that Milton was a debauchee, or Buckingham a man of virtue.

I will apply this canon to his own method. That I may not incur the charge of improperly assuming that Penn's reputation was thus historically fixed, I will cite Mr. Macaulay's own reading of the verdict which more than a century and a half has ratified. "Rival nations," he says, "have agreed in canonizing him. England is proud of his name. A great Commonwealth beyond the Atlantic regards him with a reverence similar to that which the Athenians felt for Theseus, and the Romans for Quirinus. The respectable Society of which he was a member honors him as an apostle. By pious men of other persuasions he is generally regarded as a bright pattern of Christian virtue. Meanwhile admirers of a very different sort have sounded his praises. The French philosophers of the eighteenth century pardoned what they regarded as his superstitious fancies in consideration of his contempt for priests, and of his cosmopolitan benevolence, impartially extended to all races and all creeds. His name has thus become, throughout all civilized countries, a synonyme for polity and philanthropy."[1]

This general verdict Mr. Macaulay challenges. He admits that his attempt "requires some courage;" I think the reader will agree with him, when the evidence is adduced on which his challenge is supported. This evidence consists of five assertions:—(I.) That his connection with the court in 1684, while he lived at Kensington, caused his own sect to look coldly on him and even treat him with obloquy.[2] (II.) That he "extorted money" from the girls of Taunton for the maids of honor.[3] (III.) That he allowed himself to be employed in the work of seducing Kiffin into a compliance with court designs.[4] (IV.) That he endeavored to gain William's assent to

[1] History of England, vol. i. 507.
[2] Ibid. i. 506.
[3] Ibid. i. 656.
[4] Ibid. ii. 230.

the promulgated edict suspending the penal laws.[1] (V.) That he "did his best to seduce" the Magdelan collegians "from the path of right," and was "a broker in simony of a peculiarly discreditable kind."[2]

These allegations I shall examine in the order in which they occur.

I. I quote Mr. Macaulay's own words. "He was soon surrounded by flatterers and suppliants. His house at Kensington was sometimes thronged at his hour of rising by more than two hundred suitors. He paid dear, however, for this seeming prosperity. Even his own sect looked coldly on him and requited his services with obloquy."[3] His only authority for this statement is Gerard Croese (Hist. Qua. lib. ii. 1695), a Dutchman, who never was in England in his life, and whose work the Society of Friends has never recognized. Croese could have no trustworthy knowledge of the opinions of the Quakers, and no right to represent their opinions. The statement is not, however, merely unsupported; but it is positively contradicted by the Devonshire House Records. These prove that at this time Penn was in regular attendance at the monthly meetings, and was elected to the highest offices in the body.[4]

II. That the reader may understand the Taunton affair, I must point out the features, with more exactness than Mr. Macaulay has done, which relate to his charge against Penn. When Monmouth arrived at Taunton, he found that the town had pledged itself to the rebellion, by the signal act of having had wrought at the public expense, a set of royal standards for him and his army, by the daughters of the principal families.[5] The ceremony of presenting these standards was one of the most important acts of the rebellion; at the head of her procession the schoolmistress carried the emblems of royal power—the Bible and the sword;[6]—and the royal banner was presented to the duke as to their sovereign.[7] Thereupon he assumed the name of King—set a price on his uncle's head—and proclaimed the Parliament then sitting, a treasonable convention, to be pursued with war and destruction.[8] This

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[1] Hist. of England, ii. 234.
[2] Ibid ii. 298.
[3] Ibid. vol. i. 506.
[4] MS. Records.
[5] Oldmixon, i. 702.
[6] Mr. Macaulay forgets the sword, because Sir James Macintosh had forgotten it. Hist. Eng. 32, folio ed.
[7] Oldmixon, i. 702.
[8] Harl. MS. 7006. Though very fond of strong language, Mr. Macaulay

insanity cost Monmouth his head, and won a gibbet for hundreds of his followers. The case of the maidens was not different to that of many others. They had taken with their parents' knowledge, a prominent part in the rebellion; and when the day of vengeance came, they stood before the law guilty of a crime for which the sentence was—death. The idea of sending them to the scaffold for faults which were their parents' more than their own, was of course not thought of; but that the parents might not escape punishment, the power to pardon them was given by the King to the maids of honor,—not likely, I must suppose, to be the most exacting of creditors,—as a sort of fee or bounty.[1] It is to be remembered the sale of pardons was in that age a regular profession; from the King—at least in Charles's time—to the link-boy or the porter at his gates, almost every man and woman connected with the court regularly sold his or her influence. The young girls about the Queen, daughters be it remembered of the first families in the land, had no proper conception of the horrid wickedness of this brokerage; and they requested the Duke of Somerset to get the affair arranged for them on the best terms. Somerset wrote to Sir Francis Warre, the member for Bridgewater, asking him as a personal favor to see the parents, as being a neighbor and likely to be known to them, or to name some proper agent who might arrange the business.[2] Warre had evidently no wish to be mixed up with an affair of this kind; and he replied that it was already in proper hands, those of one Bird, the town clerk.[3] For some unknown reason the maids of honor forbade this agent to proceed in their behalf, and Warre was again applied to; but he refused to name a broker on the spot, excusing himself on the pleas that the schoolmistress was a woman of mean birth, and the young ladies were acting at the time under her orders.[4] Weeks elapsed and no settlement was made by the parents; nor do we know—except by inference—what was done in the matter at court, until the following letter was written:

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softens these harsh words into simple "illegal assembly!" his evident object being to make the after-vengeance appear unprovoked.

[1] Sunderland's Letter, Feb. 13, 1686.

[2] Somerset to Warre, Dec. 12, 1685.

[3] Toulmin's Hist. of Taunton, 531. Ed. Savage.

[4] Ibid. 532, where the correspondence is printed.

"WHITEHALL, *Febry.* 13*th*, 1685-6.

"MR. PENNE—Her Maj^ties Maids of Honor having acquainted me that they designe to employ you and Mr. Walden in making a composition with the Relations of the Maids of Taunton for the high Misdemeanor they have been guilty of, I do at their request hereby let you know that His[1] Maj^ty has been pleased to give their Fines to the said Maids of Honor, and therefore recommend it to Mr. Walden and you to make the most advantageous composition you can in their behalfe.

"I am, Sir, your humble servant,

"SUNDERLAND P."[2]

To whom was this letter addressed? Sir James Macintosh, the first man who brought the letter to light,—for Mr. Macaulay has not even the merit of originality in his errors,—*assumed* that it was addressed to William Penn;[3] and in this singular assumption he has been followed by his friend and admirer. But Macintosh went still further: he not only assumed, without warrant, that a letter addressed to a "Mr. Penne" to engage him in a "scandalous transaction" was addressed to the governor of Pennsylvania; but he also dared, in defiance of every rule of historical criticism, to assume that William Penn *accepted* the commission that was so offered.[4] Mr. Macaulay, of course, copied this gross mistake from Sir James, and gave it the additional currency of his own volumes. This point is particularly noticeable,—that Mr. Macaulay did not consult the original authorities, but satisfied himself with merely quoting from the "Macintosh collection."[5] Now this letter was certainly *not* addressed to William Penn. (1.) In the first place, it does not bear his name: he never wrote his name "Penne," nor did others ever so write it. In the Pennsylvania correspondence, in the Minutes of the Privy Council, and in the letters of Van Citters, Locke, Lawton, Bailey, Creech and Hunt, and in the correspondence of his private friends, I have seen it written hundreds of times, but never once, even by accident, with an

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[1] In transcribing this letter from the State Papers, Mr. Forster writes "her" maj^ty,—a mistake which gives an erroneous countenance to Mr. Macaulay's "scandal against Queen" Maria.

[2] Sunderland Letter-Book, Feb. 13, 1686. Domestic, various, 629, p. 324.

[3] Macintosh, Hist. Eng. 32.

[4] Ibid.

[5] Macaulay, i. 656.

e final. Least of all men could Sunderland, his intimate acquaintance from boyhood, make such a mistake.—(2.) The letter is highly disrespectful, if supposed to be written to a man of his rank—a man who had refused a peerage, and who stood before the court, not only as a personal friend to the King, but as Lord Proprietor of the largest province in America; the more especially would this be the case when it is considered that the letter was written by the polite and diplomatic Earl of Sunderland.—(3.) The work to be done required a low, trafficking agent, who could go down to Taunton and stay there until the business was concluded: it is obvious that this could not be done by William Penn.—(4.) The letter is evidently a reply to an offer of service: the maids of honor "designe to employ" Mr. Penne and Mr. Walden, because, as it seems to me, they had applied for the office. Malice itself would shrink from the assumption that the governor of Pennsylvania would voluntarily solicit such an employment.—(5.) It is contrary to every thing else that is known of Penn that he would allow himself, on any pretence, to be drawn into such a business.—(6.) No mention of it occurs in any of his letters: I have read some hundreds of them, and although he was the most communicative of correspondents, not a trace of his action, or of his having been applied to in the affair, is to be found. Knowing his epistolary habit, this fact alone would have satisfied my own mind.—(7.) No mention has been made of his interference by any news-writer, pamphleteer, or historian,—though, had he been concerned, the host of maligners, who rose against him on the flight of James, could certainly not have failed to point their sarcasms with the "scandalous transaction" and "extortion of money."—(8.) No tradition of his appearance on the scene is preserved in the neighborhood; when, had he really been the agent employed, it is impossible that so conspicuous a broker could have faded so soon from local recollection.

But, if William Penn were not the "Mr. Penne" addressed by Lord Sunderland, and designed by the ladies to be employed in their behalf—who was the man? A little research enables me to answer this question. In the Registers of the Privy Council, I find this entry:

"Nov. 25th, 1687.

"GEORGE PENNE—Upon reading the petition of George Penne, gent. setting forth that his family having been great sufferers for their loyalty, He humbly begs that His Majesty would be graciously pleased to grant him a patent for the sole exercising the royal Oake lottery, and licensing all other games, in his Majesty's plantations in America, for twenty-one years. His Majesty in Council is pleased to refer this matter to the consideration of the Rt. Hon. the Lords Commissioners of the Treasury, and upon what their lordships report of what is fit to be done therein for the petitioner, His Majesty will declare his further pleasure."[1]

This man, whose fitting reward, according to his own estimate of the value of his services, was the fief of a gaming-table, was the Mr. Penne. *His* name is always spelt with the final *e*. In the first draft of the foregoing minute, the clerk had spelt the name George Penn, both in the margin and in the text, but has filled the final letter in afterwards, as if prophetically guarding against any confusion of this wretched fellow with the great governor of Pennsylvania. He was a low hanger-on about the back-doors of the court, ready for any dirty work. When pardons were to be bought and sold, he was a pardon-broker. He was actively engaged in the Taunton affair; and among other feats, as I am able to state on the authority of a family cash-book still preserved, he obtained 65*l.* from Nathaniel Pinney as the ransom of his brother Azariah Pinney, one of the transported rebels.[2] Mr. Walden was apparently an agent of the same kind, and equally and deservedly obscure. For some reason, however, the "designe to employ" these men miscarried, and the maids of honor found another agent in the person of Brent,[3] the Popish lawyer, who was a regular pardon-broker,[4] and was arrested on the flight of King James, as I find by the minutes of Privy Council.[5] This fellow employed as great a rascal as himself, one Crane of Bridgewater, as his sub-agent, and between them they settled the business, as Oldmixon relates.[6]

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[1] Council Registers, J. i. 540. Privy Council Office.

[2] Cash Book of Nathanial Pinney. [3] Oldmixon, ii. 708.

[4] Clarendon's Diary, March 9, 1688.—Secret Services of Charles II. and James II. (about to be published by the Camden Society), 133, 141, 161, 180, 7, 196, 7, 205.—Oldmixon, ii. 708.

[5] Council Registers, W. R. i. 24. [6] Oldmixon, ii. 708.

Having cleared Penn from this foul and unfounded charge, let me say a word or two in behalf of the maids of honor. Mr. Macaulay says they "were at last forced to be content with less than a third" of 7,000*l.* How much less? Is there any evidence that they received a single guinea? Dr. Toulmin collected his information from the families of the girls of Taunton, at a time when the children of the little rebels might have been still alive, and he says merely that some of the parents paid as much as fifty or a hundred pounds.[1] Some of them? Oldmixon tells us that the number of the scholars was twenty.[2] How many of twenty could be called some? Take it at ten; if pardons were purchased for ten, five at 50*l.* and five at 100*l.* this would but yield 750*l.* altogether. Besides which Oldmixon, who had peculiar means of learning the real facts, says the agent and his subordinate paid themselves bountifully out of the money.[3] I know of no proof that the maids of honor got a shilling.

While on this digression, I may add a remark in behalf of another much-abused lady. The historian counts up with virtuous indignation the number of transported insurgents which the Queen, Maria d'Este, selected for her private portion of the spoil, and talks of "the thousand pounds" which she made by "her unprincely greediness and her unwomanly cruelty." Now we not only do not know how much, if any thing at all, the Queen put into her pocket; but we do not know for certain that she received for herself a single transport. We have no good reason to believe that she ever dreamt of such a thing. The only ground for this gross charge against the honor of a woman and a foreigner, is a letter of Sunderland to Lord Jeffreys—which Mr. Macaulay, as usual, has copied from the Macintosh Collection"—in which that statesman, after giving a list of grants of prisoners to various persons about the court, adds in a postscript—"The Queen has asked for a hundred more of the rebels who are to be transported; as soon as I know for whom, you shall hear from me again."[4] It is clear enough from Sunderland's words that she did *not* ask them for herself. It is equally clear that Mr. Macaulay's estimate of "the profits she cleared on the cargo, after making large allowance for those who died of

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[1] Hist. of Taunton, 532. [2] Oldmixon, ii. 702. [3] Ibid. ii. 708.
[4] Sunderland Letter Book, Sept. 14, 1685. State Paper Office.

hunger and fever during the passage," is a mere invention. The misfortunes of this woman should have shielded her from injustice.

III. Towards the close of his reign, when the churchmen openly repudiated their own doctrine of passive obedience, James became anxious to secure the adhesion of his Dissenting subjects; and among other leading men, he selected Penn's old opponent,[1] William Kiffin, the Baptist, for a city magistracy. But two of Kiffin's grandsons had been taken and executed in the Western rebellion, and it was doubted whether the old man would comply with the wishes of the court. At this point Mr. Macaulay introduces Penn. "The heartless and venal sycophants of Whitehall, judging by themselves, thought that the old man would be easily propitiated by an alderman's gown, and by some compensation in money, for the property which his grandsons had forfeited. Penn was employed in the work of seduction, but to no purpose." Now, there is not the slightest foundation in history for this statement. Mr. Macaulay here asserts that Penn was "employed" by the "heartless and venal sycophants" of the court, to seduce Kiffin into an acceptance of the alderman's gown,—and that he failed. The passage means this, or it means nothing. It will be allowed that on such a point Kiffin himself must be the best authority: in his autobiography, lately published from the original manuscript, he says,—"In a little after, a great temptation attended me, which was a commission from the King, to be one of the aldermen of the city of London; which, as soon as I heard of it, I used all the diligence I could, to be excused, both by some lords near the King, and also by Sir Nicholas Butler and Mr. Penn. But it was all in vain."[3] This is just the reverse of what Mr. Macaulay states. Penn did not go to Kiffin; Kiffin went to Penn. Instead of being employed in the work of seduction, he was engaged in the task of intercession. Mr. Macaulay makes Kiffin refuse the magistracy: Kiffin says he accepted it:—"The next court-day I came to the court, and took upon me the office of alderman."[4]

IV. A little attention to dates will soon dispose of the fourth charge against Penn. Mr. Macaulay writes—"All

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[1] See Chap. iv. p. 125.
[2] Macaulay, ii. 230.
[3] Kiffin's Mem. 85. Ed. by Orme, 1823.
[4] Ibid. 87.

men were anxious to know what he [the Prince of Orange] thought of the Declaration of Indulgence . . . . Penn sent copious disquisitions to the Hague, and even went thither in the hope that his eloquence, of which he had a high opinion, would prove irresistible." Now, Penn returned from Germany in the autumn of 1686,[1] and the Declaration was not issued until April, 1687. After 1686, he never went to the Dutch capital. There is no evidence, even, that Penn sent over "copious disquisitions;" Burnet, Mr. Macaulay's authority, says not a word on such a subject.[2] When Penn was at the Hague, in the summer of 1686, the subject that was under discussion related to the Tests, not the Indulgence. The Declaration was unthought of at that time;—Burnet is very clear on this point.[3] But there is other proof that Mr. Macaulay's guess-work is wrong. In November, 1686, five months before the Declaration was issued, Van Citters reported to his correspondent, the substance of the conversations between Penn and the Prince, as it was then known in court circles in London; and in that report, no mention whatever is made of the Declaration.[4]

V. In the ninth chapter of the preceding memoir, I have given the true history of Penn's connection with the affair of Magdalen College. In this place I shall content myself with a special refutation of Mr. Macaulay's errors; first quoting his material passages, and numbering them for separate remark. (1) "Penn was at Chester, on a pastoral tour. His popularity and authority among his brethren had greatly declined (2) since he had become a tool of the King and the Jesuits." . . . (3) "Perhaps the College might still be terrified, caressed, or bribed into submission. The agency of Penn was employed." . . . (4) "The courtly Quaker, therefore, did his best to seduce the college from the path of right." . . . (5) "To such a degree had his manners been corrupted by evil communications, and his understanding obscured by inordinate zeal for a single object, that he did not scruple to become a broker in simony of a peculiarly discreditable kind, and to use a bishopric as a bait to tempt a divine to perjury." These assertions may be looked at one by one, as

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[1] One of his MS. Letters to Harrison, now in my possession, is dated London Sept. 23, 1686. [2] Burnet, iii. 140, 1. [3] Ibid.
[4] Van Citters' MS. Corresp. Nov. 26, 1686. Westminster.

they stand here. (1) Had Penn become in 1687—the date of Mr. Macaulay's authority[1]—unpopular and powerless with his brethren? There is, fortunately, better evidence than that of an agent of Louis Quatorze:[2] the evidence of the "brethren" themselves. The Records at Devonshire House prove that his influence was high as ever in the society of Friends; he was elected to speak their sentiments; he served their most important offices; was in accord with Fox, Crisp, and the other leaders;[3] and at the very moment when Mr. Macaulay introduces him with this disparaging comment, he was on a religious tour, one of the most popular and brilliant of his public ministry. To this may be added the testimony of Penn himself; in one of his letters he expressly says, that it is at the joint request of the Society of Friends, and of persons in authority, that he is engaged in the business of the nation.[4] (2) Was he ever "a tool of the King and of the Jesuits?" No man, I venture to believe, will entertain a doubt on this point, after reading the ninth chapter of these memoirs, and the authorities there cited. Family experiences had given him an early abhorrence of the persecuting spirit of the Roman Church.[5] In his youth he had written against the errors of Popery, and in his riper age had pointed many a sentence with honest indignation at Jesuit morals.[6]

Now that the Jesuits had acquired power at court, he continually hazarded his influence by urging the King to banish them from the royal presence. Citters, Johnstone, and Clarendon, all testify clearly to this effect. The Dutch diplomatist says, "Penn has had a long interview with the King, and has, he thinks, shown to the King that Parliament will not consent to a revocation of the Test and Penal Laws—and that he never will get a Parliament to his mind—so long as he will not adopt moderate councils, and drive away from his presence the immoderate Jesuits, and other Papists who surround him daily, and whose ultra councils he now follows."[7] Johnstone says expressly, that Penn was against the order commanding the Declaration to be read in the churches.[8]

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[1] Bonrepaux to Seignelay, Sep. 12, 22, 1687. [2] Ibid. Sept. 12, 1687.
[3] MS. Minutes of Quarterly Meetings.
[4] MS. letter to Harrison (undated, but placed by Harrison about or little before, Sept. 23.) [5] See chap. xii. p. 328.
[6] Caveat against Popery. Fruits of Solitude.
[7] Van Citters' MS. Letters, July 29, 1687.
[8] Johnstone Corresp. May 23, 1688. Macintosh, 241, n.

Clarendon says in his Diary that Penn "labored to thwart the Jesuitical influence that predominated."[1] On what authority, then, does Mr. Macaulay make his assertion? Simply on his own! Was he a tool of the King? The idea is absurd. He never sacrificed a point to the humor of James; but he often crossed that humor, and his political action was always against the court. Not to go so far back as the days of Sidney, when, according to Barillon, he divided the leadership of the most advanced body of Reformers with that great Republican,[2]—if his private friendship was given to Sunderland, Halifax, and Rochester,[3] his political sympathy was always with the more liberal men of the opposition.[4] The supporters of Monmouth looked to him and half a dozen others to bring over the American colonies to the cause of liberty and Protestantism.[5] Though he was trusted by James, he was always an object of suspicion to his government.[6] He plainly told the King of his errors; he advised him to expel the Jesuits from Whitehall; not to trust to his prerogative, but to meet his Parliament with wise and just proposals;[7] not to insist on having the Declaration read by the clergy;[8] not to commit the seven Prelates to the Tower. And when that impolitic act had been committed, he advised him to take the gracious opportunity afforded by the birth of a Prince of Wales to set them at liberty, and still further to signalize the occasion by a general amnesty to the exiles in Holland.[9] He counselled him to submit to the will of the nation, and to be content with a simple toleration of his religion.[10] Can this man be called a "tool" of the King? Let Mr. Macaulay show another man in that age with equal boldness and integrity. He braved the royal frowns again and again in the cause of mercy. He obtained a pardon for Locke, another for Trenchard, another for Aaron Smith—all of them men who had deeply offended

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[1] Clarendon Diary, June 23, 1688.

[2] Barillon to Louis, Dalrymple, i. 357.

[3] Penn's Letter to Sunderland, June 8, 1684.

[4] Fragments of an Apology, Penn. Hist. Soc. Mem. iii. Part ii. 236. Letter to Popple, Oct. 24, 1688. King's Life of Locke, i. 292. Lawton's Memoir. Penn. Hist. Soc. Mem. iii. Part ii. 220

[5] Wade's Confession, Harl. MSS. 6845.

[6] Penn to Shrewsbury, March 7, 1689.

[7] Citters' MS. Letter, July 29.

[8] Johnstone, May 23.

[9] Lawton, Penn. Hist. Soc. Mem. iii. Part ii. 230, 1.

[10] Collected Works, ii. 771-3.

James.[1] He compelled him to listen to the councils of the leading Whigs; and in the Oxford affair told him he was in the wrong in plainer language than the usages of speech would permit to ordinary men.[2] This man a tool!—(3) Was the agency of Penn employed to terrify, caress, or bribe the collegians into submission? There is not even a shadow of authority for this most uncharitable assertion. Penn was alarmed at the quarrel, fearing it might lead, through the combined obstinacy of the King and Fellows, to a loss of the College Charter, and a transfer of its immense revenues to the Papists—and he interposed his good offices to heal the wound. Instead of looking on him as a person "employed" to terrify, caress, or bribe them into submission, we have the evidence of Dr. Bailey, one of the inculpated Fellows, and that of Thomas Creech, a student, that the collegians regarded him as a friend and mediator "in their behalf."[3]—(4) Did he "do his best to seduce the college from the path of right?" Mr. Macaulay's knowledge of the proceeding appears to be derived from "Wilmot's Life of Hough"[4]—though he does not quote it—and from the "State Trials."[5] To these sources of information must be added the MS. letters of Dr. Sykes and Mr. Creech, preserved in the Bodleian Library at Oxford, and the MS. papers of George Hunt, now in the possession of the President of Magdalen College. Hunt was one of the Fellows, and was present at the interview with Penn; Sykes and Creech were both of them well informed as to all the incidents which occurred; yet so far is either he, or are they, from saying that he attempted to "seduce them from the path of right," that they agree exactly in the emphatic and conclusive statement, that, after hearing their reasons, he agreed with them that they were justified in their resistance. He even went further, he became their champion. In their presence he wrote a manly English letter to his sovereign, in which he told him in very plain terms—"that their case was hard; that in their circumstances they could not yield without a breach of their oaths; and that such mandates were a force on conscience, and not agreeable to the King's

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[1] Life of Locke, i. 292.—Lawton's Memoirs, Penn. Hist. Soc. Mem. iii. Part ii.

[2] Lawton's Mem. Hough's Letter, Oct. 9, 1688.

[3] Creech to Charlett, MS. Sept. 6.—Bailey's Letter, Oct. 3, 1688.

[4] Quarto, 1812.

[5] Vol. xii.

other gracious indulgences."[1] How singularly unfortunate is Mr. Macaulay in his authorities! "Penn," he says, "exhorted the Fellows not to rely on the goodness of their cause, but to submit, or at least to temporize." I defy Mr. Macaulay to give any trustworthy authority for this macchiavellian council. He wisely abstains from quoting his author; but the curious reader will find it in the twelfth volume of the "State Trials," in the shape of an anonymous letter which was addressed by some unknown person, during the heat of the dispute, to Dr. Bailey, one of the Fellows. Bailey, "from the charitable purpose" of the letter, thought it might have come from Penn;[2] and to ascertain the fact, wrote a reply to Penn without signing his name, saying, that if he *were* his anonymous correspondent, he would know how to address his answer. Of course no reply came. No man conversant with Penn's habit of writing could for an instant mistake it for his;—it commences, "Sir,"—and the second person plural is used throughout.[3] Nor is this all the evidence against its being written by Penn. The contemporary account of these proceedings has written, in Hunt's hand, on the margin of this letter, the words—"This letter Mr. Penn disowned."[4] Yet it is on the assumption that Penn actually wrote this thrice-proven spurious epistle, that Mr. Macaulay has built his most serious accusation! What would be said of such evidence in a court of justice? Surely the memories of the illustrious dead are not less precious than the property of the living! Let me say, to the credit of Macintosh, that *he* makes no charge against Penn in this Oxford business. Here Mr. Macaulay is perfectly original. (5) Did Penn deal "in simony of a particularly disreputable kind, and use a bishopric as a bait to tempt a divine to perjury?" Mr. Macaulay continues to represent him as employed by the court; and having, as he says, failed in his attempt to terrify the collegians into obedience, he "then tried a gentler tone. He had an interview with Hough, and with some of the Fellows, and after many professions of sympathy and friendship, began to hint at a compromise. . . . 'How should you like,' said Penn, 'to see Dr. Hough Bishop of Oxford?'" Hereupon follows the indignation about simony and perjury.

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[1] MS. Letters to Dr. Charlett, Sept. 6, 7, 9, 1688. Life of Hough, 15.
[2] Bailey's Letter, Oct. 3.
[3] See the spurious Letter in State Trials, vol. xii. [4] Hunt MSS.

Now let us see what is really known about this interview. Dr. Hough, its chief subject, wrote on the evening of the day on which it took place a letter to his cousin, in which he recited the principal heads of the discourse,—and this account, from one too deeply interested to be impartial, and too much excited to remember any thing but what especially concerned his own prospects and position, is unfortunately the only existing authority.[1] Hunt was not present at this interview, and no account of it is preserved in the Magdalen College MSS. Holden's MS. letters in the same library commence posterior to the affair of Penn; and Baron Jenner's MS. account of the Visitation is not to be found. But let us take the authority we have, imperfect though it be, and see what matter can be drawn from it in support of the accusation. What says Hough? In the outset, instead of Penn being "employed," as Mr. Macaulay continues to misrepresent him, to solicit the Fellows, it appears that the Fellows had sent a deputation to him, consisting of Hough and the principal members of the college.[2] Their conversation lasted three hours; the substance of it I have given in the text of the ninth chapter of the memoir: Mr. Macaulay's version of it is inexact in all its essential particulars. "He then tried a gentler tone." The historian does not seem to know that two interviews took place, one at Oxford, the other at Windsor, with six weeks of an interval; there is no evidence except the spurious letter, that he ever used other than a gentle tone. He "began to hint at a compromise:" the words of Hough are —"I thank God he did not so much as offer at any proposal by way of accommodation."[3] How reconcile such statements! Now let us hear what Hough says of the simony and perjury. Penn, who, according to Swift, "spoke agreeably and with spirit,"[4] was always more or less facetious in conversation. Like his father, he was fond of a joke, and had that delight in drollery which belongs to the highest natures.[5] In this very conversation we see how he made his rhetoric dance—"Christ Church is a noble structure, University is a pleasant place, and Magdalen College is a comely building." Hough, though not the most quick-witted of men, saw that he

[1] Hough's Letter, Oct. 9, "at night." [2] Wilmot's Life of Hough, 22.
[3] Hough's Letter, Oct. 9. [4] Swift's note to Burnet, iii. 140.
[5] MS. Testimonial of Reading Quakers.

"had a mind to droll upon us."[1] Stolid and heavy, Hough no doubt reported the conversation honestly, so far as he could remember and understand it. To quote his words—"Once he said, *smiling*, If the Bishop of Oxford die, Dr. Hough may be made Bishop. What think you of that, gentlemen?" Cradock one of the Fellows present, took up the tone of pleasantry, and replied, "they should be heartily glad of it—for it would do very well with the presidency." Does any one doubt that this was a mere pleasantry? Observe, Penn had no commission to treat with the Fellows,—that he met them at their own request, to consider how he could serve their interests. That Cradock thought it a joke is evident from his retort. Had the suggestion of the bishopric been in earnest, it must have been offered on condition of Hough giving up the presidency of his college—that being the point at issue. In such a case, to talk of the combination of the two offices would have been insulting and absurd. Even Hough himself, the least jocular of men, understood this remark as a mere pleasantry, for he instantly adds,—"But, I told him, *seriously*, I had no ambition."[2] And yet this innocent mirth, accepted and understood as such, by all the parties concerned, after a lapse of nearly two centuries, is revived and tortured into a ground for one of the foulest accusations ever brought against an historical reputation! Is this English History?

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[1] Hough's Letter, Oct. 9. [2] Ibid.

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